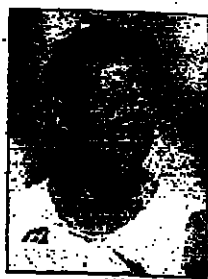


Consumer and small firms more confident



## SEX AND ATHLETICS

China's best puts her boyfriend first

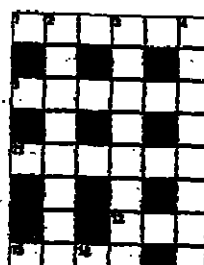
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30P

# THE TIMES

No. 64,849

TUESDAY JANUARY 11 1994

## Tragic Countess of Caithness died from a single shot



The Fitzalan-Howards on their wedding day in 1977

By DOMINIC KENNEDY AND ANDREW PIERCE

THE Countess of Caithness died of severe head injuries from a single gunshot wound, according to a post mortem examination yesterday. An inquest into her apparent suicide will be opened today by the Oxfordshire coroner.

The Earl of Caithness, who resigned from his post as Aviation and Shipping Minister on Sunday, after the death of his wife, had full licences for several hunting guns.

The couple's daughter, Lady Iona Alexandra, 15, was with her parents when the tragedy happened on Saturday evening. After Lady Caithness had slipped upstairs alone, her husband and daughter heard a gunshot at 6.30pm. Lord Caithness found his wife with a shotgun next to her. He dialled 999 and the police arrived within minutes. No suicide note has been found.

## Mystery over Earl's friendship with former secretary to Princess Royal

Senior Tory sources last night confirmed the existence of a friendship between Lord Caithness and Jan Fitzalan-Howard, 40, a former secretary to the Princess Royal.

Mrs Fitzalan-Howard separated from her husband Tom, a colonel in the Royal Scots Guards, 15 months ago. The sources said that the Caithness family was entitled to compassion and privacy. One said: "Malcolm is an honourable man. He would have resigned to minimise any embarrassment or hurt to anyone. This is a terrible tragedy."

Colonel Fitzalan-Howard remains a career officer with the Scots Guards while his wife, who

used to work for Sir Gordon Reece, Margaret Thatcher's former image adviser, and Lord McAlpine, a former Tory treasurer, maintained close links with the Tory hierarchy.

Lord Caithness's son, Lord Berriedale, 12, was at boarding school when his mother died and was driven to join the rest of his family in mourning. Police were yesterday guarding the family's six-bedroom house on the outskirts of Chiddingfold near Chipping Norton, Oxfordshire, but the family was still away.

According to friends and neighbours, the Countess was more of a hearty countrywoman than a privileged aristocrat. She was happy to roll up her sleeves to tend the large garden of their home, which includes six acres of grounds. She scrubbed her own floors, and the family was able to manage without any housekeeper or staff. Nobody was able to explain the despair which apparently drove her to take her life.

Louise Walsh, a neighbour, said: "They seemed to be a very united, happy, nice family, and were the best neighbours I have ever known. Lady Caithness was always willing to help."

The family was fond of horses and ponies and was involved in the local Heythrop Hunt, where their

close friends included the merchant banker Roddy Fleming.

Some villagers had heard that the couple put their house on the market several months ago but later withdrew the property, estimated at about £300,000. The family only moved to the house in recent years after renting Finstock Manor, part of an estate owned by their friend Lord Rotherwick.

Lady Caithness was not a highly political woman and was never considered the type to play the grand hostess. She preferred riding horses and working for local charities. The couple would often be seen out walking their dog and there was no indication of any problem in their marriage. Derek Meredith, 68, a farmer, said: "I knew them very well and I'm absolutely shattered. She was a friendly, lovely lady. They enjoyed country pursuits."

The couple married in 1975 and Lady Caithness died the day before

their 19th wedding anniversary. Her parents Major Richard and his wife Molly own 1,000 acres near King's Lynn, where her father is Norfolk's deputy Lord Lieutenant and a former high sheriff. Lord Caithness is the president of West Oxford Conservative Association and a friend of the local MP Douglas Hurd, the Foreign Secretary.

Lady Caithness's father, Major Coke, 75, issued a statement at his home, Weasenhall Hall, near King's Lynn: "Diana was our beloved only daughter. She was a loyal and strongly supportive wife to her husband, whom she loved deeply, and a devoted mother to her two children."

Asked if he had any comment to make about Lord Caithness, he said: "Not at this stage. No comment on anything else at all."

Jeremy Laurance, page 13  
Leading article, page 15

## Major returns today to face party turmoil

By NICHOLAS WOOD, CHIEF POLITICAL CORRESPONDENT

JOHN Major flies back to London this evening to a Conservative Party riven by despair over a series of sex scandals and resignations and the apparent disintegration of the "back-to-basics" campaign.

With shell-shocked Tory MPs privately sensing an end to the Profumo affair that undermined the Macmillan Government 30 years ago, the Prime Minister will have to move swiftly to steady his troops as they return to the Commons today and halt the bickering over the direction of Government policy.

John Patten, the Education Secretary, said yesterday that he could not remember a time during his 15 years in the Commons when things had been so difficult. Lord Archer of Weston-super-Mare, a former deputy chairman of the Tory party, admitted that the Government had been "thrown off course".

The pressures on Mr Major grew yesterday with the disclosure that the Countess of Caithness, the former transport minister, caused by a single gunshot wound.

After the astonishing events of the past fortnight, many Tory MPs fear more disclosures about the circumstances of Lady Caithness's apparent suicide at the family home in Oxfordshire on Saturday evening. On Sunday night, Lord Caithness became the third Tory in five days to resign from the Government, following Tim Yeo, the former environment minister, and Alan Duncan, a former parliamentary private secretary.

## Echoes of the Profumo affair of 30 years ago are adding to Tory MPs' unease and to pressure on John Major for a display of strong leadership

At the Nato summit meeting in Brussels yesterday, Mr Major and Douglas Hurd, the Foreign Secretary, refused to comment on the latest revelations. Speculation about the events surrounding the departure of Lord Caithness was fuelled, however, by the disclosure that Mr Hurd, a close colleague of the former aviation and shipping minister,

by the latest tragic blow to Mr Major's ill-starred government, is continuing yesterday over the meaning of the back-to-basics crusade launched at the Conservative party conference last October. In an attempt to disentangle the policy from the private lives of his ministers and MPs, Mr Major has said it is not about the sexual morality of individuals and has denied that he was "preaching" at single mothers.

Mr Patten and John Redwood, the Welsh Secretary, both placed a different emphasis on the policy yesterday, however. The Education Secretary said that the Government had to "reflect the views and the instincts of the people outside in our constituencies and if we don't we are in trouble".

Mr Patten, a Roman Catholic, also emphasised the importance of children being brought up by two parents. "I always feel a child who is brought up without a father suffers terribly. It doesn't matter whether they are married or not — I prefer them to be married, myself — but I think the fathers should be there," he said on LBC radio.

"If you are brought up as a child without a father, all sorts of bad things happen. Things go on at school, there is a greater tendency to drift into crime. It is nothing to do with single mothers. It is just I think fathers have got to take their responsibility," Mr Patten said.

As Westminster was rocked

## Clinton pushes hard for Nato air strikes on Serbs

FROM GEORGE BROCK, MICHAEL EVANS AND MARTIN FLETCHER IN BRUSSELS

PRESIDENT Clinton warned Nato leaders last night to be prepared to back up strong words with action as the alliance edged closer to using air strikes on Bosnian Serb targets to break the siege of Sarajevo and Srebrenica.

As they met in Brussels to offer Eastern and Central Europe a new partnership for peace, Nato leaders found themselves once again devoting their energies to confronting Serb forces which are thwarting United Nations aid efforts in Bosnia. The alliance reaffirmed last night its readiness to launch the air strikes that have not materialised in

the six months since the policy was agreed last year.

With France leading the field in tough words, President Clinton said that Nato's response should not be mere rhetoric. The alliance's credibility was at stake. "If the situation does not improve," Mr Clinton said, "the alliance must be prepared to act."

Failure to act on promises of military action, he said, "will have great ramifications in the future in other contexts".

Mr Clinton also announced last night that Ukraine had finally agreed to dismantle all its strategic nuclear weapons. He described it as an historic

breakthrough that would enhance Russian, Ukrainian and American security. All the missiles in Ukraine are aimed at the US.

Earlier, the 16 Nato leaders signed a formal invitation to its former Warsaw Pact enemies to join the Partnership for Peace which could pave the way for eventual membership of the alliance. The invitation was to be sent to governments in Central and Eastern Europe as well as to Russia and Ukraine will offer closer military ties and joint exercises.

Deal endorsed, page 10  
Woodrow Wyatt, page 14

## Flood fight is put on a war footing

By LIN JENKINS AND ROBIN YOUNG

FROM a nuclear bunker in Chichester county hall a Gulf War veteran was last night deep at the heart of a team fighting to save the town from the worst flooding for 130 years.

A police helicopter ferried Lieutenant Colonel Robbie Burns, of the 36th Field Engineers regiment, from Maidstone to assess how the Army could help. Last night troops began putting in two Bailey bridges on routes to the east in an attempt to free traffic today.

Colonel Burns, 38, will be in charge of 100 men from 9 Parachute Squadron, Royal Engineers, based at Alder-

shot, and 61 Field Squadron, from Invicta Barracks, Maidstone. The troops will put up four temporary bridges over the A259 at Merston and at a roundabout at West Hampton to relieve congestion on the main road so that flood relief work in the city can go ahead. They will also set up 50,000 sandbags at the request of West Sussex County Council.

An army spokesman said: "Work will begin during the night and we hope to finish the bridge installations tomorrow."

Continued on page 3, col 7  
Julia Llewellyn Smith, p12  
Forecast, page 20

## MP shared bed 'to save cash'

By RICHARD DUCE

A DEFIANT David Ashby, the latest Tory MP to find his personal life at the centre of media scrutiny, yesterday admitted he shared a French hotel bed with a male friend, but denied any homosexual relationship.

Mr Ashby, 53, seen by parliamentary colleagues as bristly and brusque, told reporters: "I have been married 28 years. So far as I am concerned I spent a holiday with a close friend. We went to two hotels. In the first one we managed to find twin beds and at the second one we didn't. It doesn't make any bloody difference. It was much cheaper; it halved the price."

Mr Ashby emerged with his wife from their London home to announce that he was considering legal action after reports that she had left him because of his friendship with the man.

Mr Ashby's friend, Claran Kilduff, an Irish doctor, said yesterday he was initiating libel proceedings against

newspapers that had suggested a homosexual affair.

The MP for Leicestershire North West refused to name the friend with whom he shared a bed at the Château Tilques, near St Omer, over the new year and dismissed as "nuts" any suggestion of a homosexual affair, past or present.

Questioned about his support, as a member of the Commons home affairs committee, for lowering the age of homosexual consent, he said that it should be seen as part of his long-standing interest in civil rights.

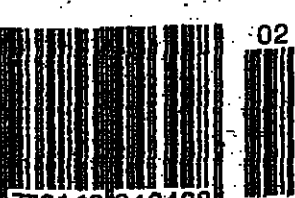
The allegations, first levelled by a Sunday Times reporter after an anonymous tip, had succeeded only in bringing Mr Ashby and his Italian-born wife, Silvana, closer together, though he admitted their marriage had been "tempestuous".

Expecting a separation, he had recently moved out of their detached home in Putney, southwest London.

Continued on page 2, col 3

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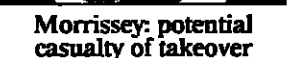
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BY P. J. LACARTHUR



**Morrissey: potential casualty of takeover**

[illegible]

Lord Caithness, regarded as one of the Government's most reliable spokesmen, with his family in 1988

**BY JONATHAN PRYNN**  
POLITICAL REPORTER

## MP shares

ared his bed 'to sa

adored my wife when I married her and I still love her now. But, as with any relationship that is very tempestuous, there are moments of very

Mr Ashby said he had not been on holiday with the same friend before. But he had been on holidays with other men "dozens of times". Asked if he

create a story based on anonymous phone calls. It was "too early" to say whether she and her husband would stay together, but their relationship

**Margot Norman, page 12**  
**Martin Ivens,**  
**Peter Brookes, and**  
**Diary, page 14**  
**Letters, page 15**

**BY NICHOLAS WATT, IRELAND CORRESPONDENT**

he said: "Both governments accept that Irish unity would be achieved only by those who favour this outcome persuading those who do not, peacefully and without coercion."

The Government cannot escape blame. The back-to-basics initiative was launched in a muddled way at the Tory Party conference. John Major may have been clear in his

PETER RIDDELL

A stroke victim had to spend more than 22 hours on a trolley in a casualty unit as he waited for a bed at Heartlands Hospital, Birmingham. He is the latest victim of the bed crisis that has led the region's health chiefs to make money available for another 100 emergency beds.

Four teenagers were hurt when they hit a bridge in a stolen car early yesterday. The two boys aged 16 and two girls aged 15, all from children's homes in the Manchester area, were being followed at a distance by a police patrol car when they hit the parapet of the Iron Bridge on the A65 at Ingleton, North Yorkshire. The girls were seriously hurt, and one has been transferred to a special intensive care unit in Preston, Lancashire. Two boys were later arrested after being treated at Lancaster Infirmary.

The Queen sent a message of sympathy yesterday to the widow of a Cypriot who drowned after rescuing a British holidaymaker from the sea off Cyprus. Hianoulla Antoniou's husband Neophytos died on January 2 at the southeastern tourist resort of Ayia Napa after reaching William Roberts, 61, from Cornwall, with a rope.

A man aged 68 was abducted, beaten and robbed in central Edinburgh early on Saturday after being approached by a woman in her twenties. He was held prisoner in a car for an hour after being hit by her two male accomplices. The pensioner, who was released after his watch and wallet were taken, was treated in hospital for bruising.

More than 400,000 packets of Sugar Puffs were recalled yesterday. Makers Quaker Oats said that a number of rough grain husks, which could cause "throat discomfort and irritation", had found their way into batches produced during November and December. About 5,000 packets were thought to be affected. Twenty million are sold every year.

Barclays Bank has reimbursed a customer whom it charged £110 when he took his bank manager to lunch to discuss an overdraft. Chris Reddall, of East Sussex, complained of the fees but was offered a refund only after the story appeared in *The Times*. Barclays also offered Richard Bobath, of west London, money back after he complained in *The Times*.

Anti-terrorist police who stormed a hangar at Manchester airport after they were alerted to a suspected bomb discovered the suspicious parcel to be a home-made wreath in memory of a mouse befriended by engineers. One of the engineers said: "When we found him dead, we decided to give him a decent burial. We never expected to cause such a stir."

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# Disfigured child sues parents over family car blaze

By FRANCES GIBB, LEGAL CORRESPONDENT

A GIRL aged seven is suing her parents for damages after suffering horrific burns as a baby when she was left in a car and it burst into flames.

Melanie Grimsley was with her older sister Amanda when their mother Pamela left them to call into a supermarket in April 1988. Mrs Grimsley returned minutes later to find the car on fire. Amanda, who was nearly three, burned to death. Melanie was pulled from the blazing car but suffered extensive burns to her face, head, hands and arms.

The extraordinary legal action is being brought against Melanie's parents as a means by which the family can obtain compensation for their daughter from their motor insurers.

Melanie, of Kesh, Co Fermanagh, had the fingers and thumb of her left hand burnt off. Surgeons have operated on her right hand to provide a

grip between the stumps of a finger and thumb.

Plastic surgeons have carried out many operations on her face, her nose and the skin around her mouth and eyes. They are waiting until she is older before starting to rebuild her ears but cannot restore her hair, eyelashes or eyebrows.

Yesterday Melanie played with toys in the precincts of the High Court in Belfast as lawyers argued her claim for compensation against her mother, as driver of the car, her father, William, the owner, and two garages, Ernie Engineering and T.P. Topping.

The girl's claim is being brought by her uncle on her behalf. Insurance companies representing all the defendants have denied liability.

Her lawyer, Mervyn Morrow QC, said that Melanie was a brave and determined

girl in spite of her continuing ordeal. "She is doing extremely well in school, getting As and Bs," he said. "Her writing is excellent and so is her ability to grasp concepts. But she will need a lot of help coping with adolescence."

Mr Morrow said that on the afternoon of the fire Mrs Grimsley left her children in the car and went into the supermarket to buy milk. She was in the shop for only a few minutes when someone said a car was on fire outside.

Oliver Quinn, who was in the shop, ran out and saw Melanie on the front passenger seat. "Her hair was on fire, she was crying and her clothing was on fire. He pulled her out through the driver's door and put on her the grass verge where someone rolled her to extinguish the flames."

Mr Quinn and a woman tried to reach Amanda but were driven back by the flames.

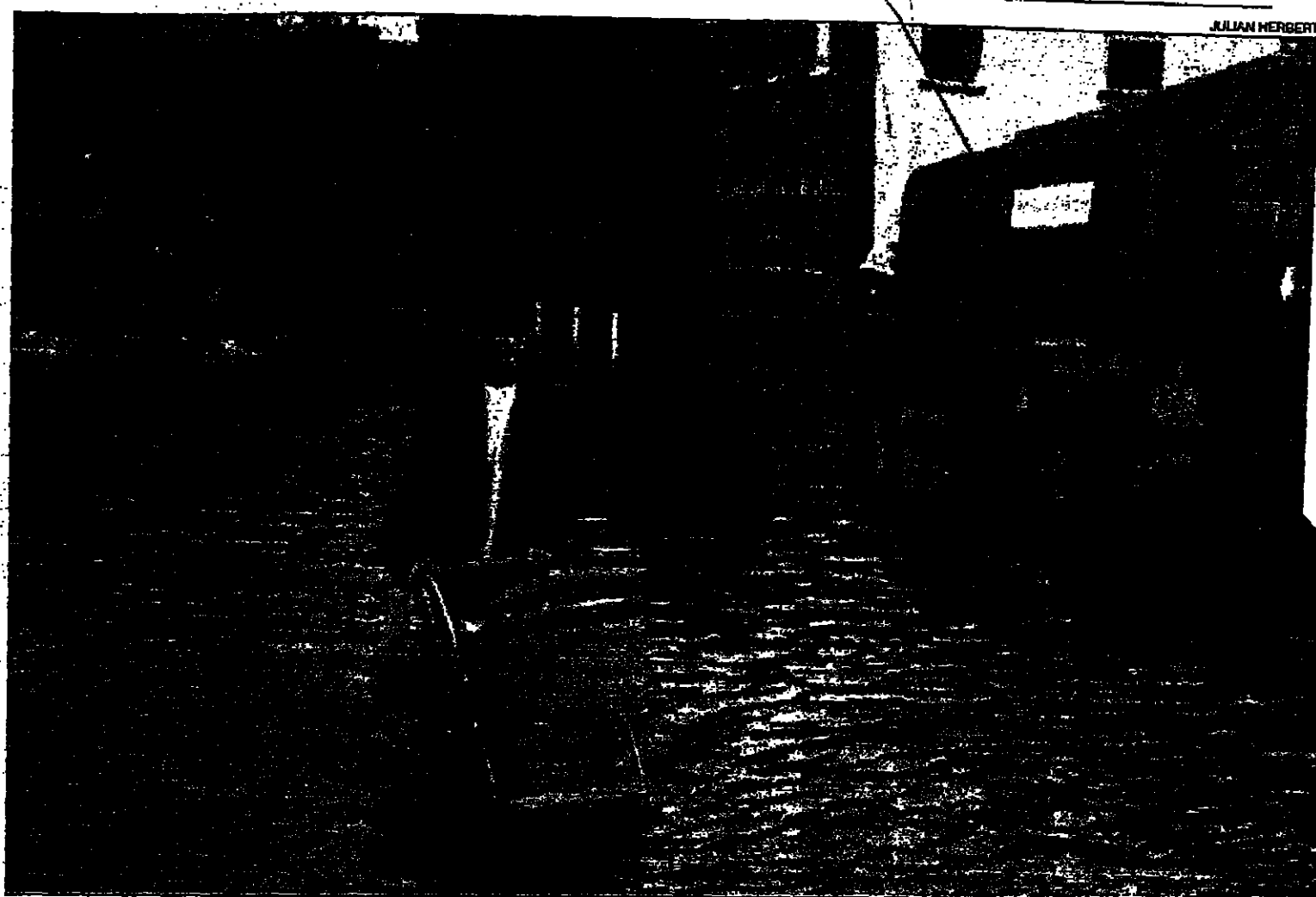
Mr Morrow said the damages to be awarded to Melanie should take into account that she had been deprived of the prospect of employment. He told Mr Justice Nicholson: "When you see the video of this child it will be clear that the damages should be very, very substantial."

In 1991 a teenage girl was awarded what were then unprecedented damages of some £1.4 million in a claim brought against her mother for negligence committed while the girl was still a fetus. The girl claimed her cerebral palsy was caused by an injury which her mother sustained in a motor accident four months before giving birth. The compensation was paid by the mother's insurers.

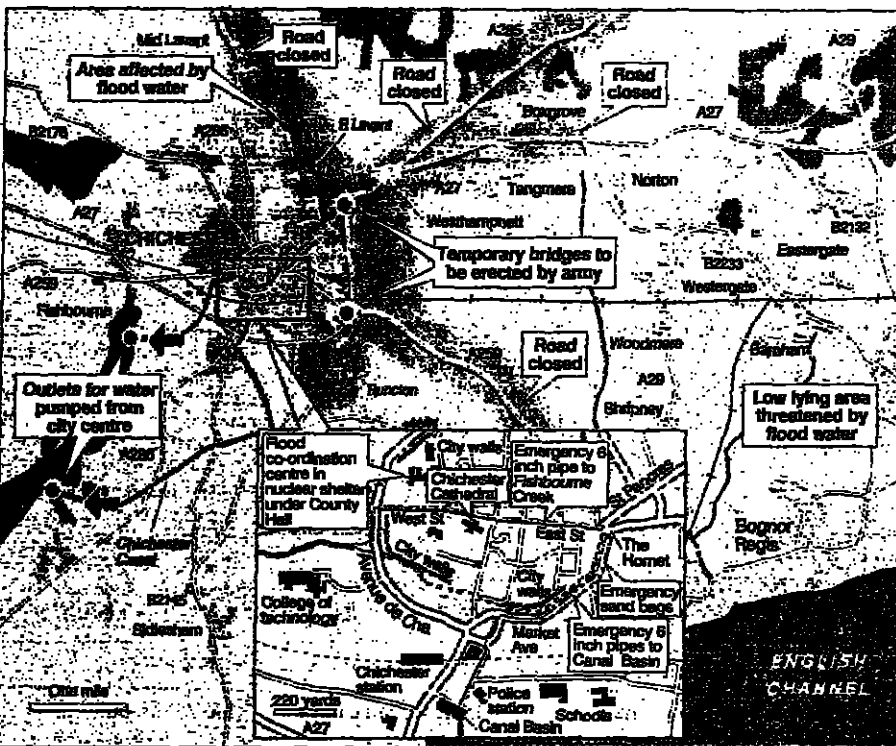
In yesterday's case, Mr Morrow said that the fire authorities had been unable to find the cause of the fire but he claimed it was started by the courtesy light. He said that it went on and off for no apparent reason and that this was consistent with a loose connection that created a hot spot.

Mr Morrow said that attention had been drawn to "this obvious inherent danger" but it had never been put right. The hearing continues.

## River breaks banks for fourth time to threaten Chichester



A shopper wading through a Chichester street yesterday as efforts to pump out water continue. Last night an army team moved in to help



Continued from page 1

morrow. The National Rivers Authority said that 134 flood warnings were in force across the country. Several rivers were overflowing.

Apart from Chichester, four red alerts indicating danger to property have been issued for Arley on the Hix and Blunham on the Ivel, both in Bedfordshire, and at Chertsey and Addlestone on the Bourne in Surrey.

But none came close to the problems in Chichester. Hundreds of thousands of gallons of water and sewage are threatening homes, businesses and the very fabric of the city after the River Lavant broke its banks for the fourth time in a week. The town was cut off from the east as over 10m of overnight rain caused the river level to rise by 8in.

Schools were closed, keeping 8,000 children at home. The few passable roads to west and north-west allowed only single-lane traffic through flooded villages. The

A27 east, the A259 to Bognor and the A285 to Perworth were all blocked.

Ten veteran Green Goddess fire appliances which have more pumping capacity than modern fire engines used in West Sussex — were brought in from Staffordshire to pump water down the emergency pipelines.

In the town shops in The Hornet, scene of the worst flooding, were closed. Others near by opened despite the stench of sewage which had penetrated cellars as the water level rose. Few shoppers ventured into the centre to take advantage of the January sales.

The London Weather Centre said nearly an inch of rain had fallen at Gatwick in the 12 hours to 6 am yesterday, and half an inch or more had fallen over Sussex, Berkshire, London, Essex and Kent.

Julia Uweylyn Smith, p 12  
Forecast, page 20

## Drunken row ends 12-hour marriage

By PAUL WILKINSON

A WOMAN is applying for a judicial separation order after splitting from her husband within 12 hours of their wedding.

Greta Sloman and her husband argued on their wedding night about her previous boy friend. Malcolm Sloman, 42, attacked his wife and damaged her home before storming out.

He spent the night in police cells and was charged with assault and criminal damage. He was given a conditional discharge for one year yesterday by magistrates in Barnsley, South Yorkshire, after admitting the offences.

His wife's solicitor said that Mrs Sloman was seeking a separation order. She was not entitled to a divorce because they had been married less than a year.

The court was told that after their wedding on November 5, Sloman drank

a large quantity of whisky. When they returned to Mrs Sloman's home, she told him that she had met her previous boy friend on her hen night and he had urged her to stay the night with him. Sloman asked if she had agreed. She smiled but refused to reply.

Sloman grabbed her by the neck and dragged her downstairs by the hair. A wardrobe door was pulled off and insults about the old boy friend were gouged into internal doors.

Sloman, of Castleton, South Glamorgan, was ordered to pay £20 to his wife for her injuries and £370 for the damage he caused at her home.

After the hearing, he said that he was seeking a reconciliation "but it seems unlikely at the moment". He had heard that his wife was associating with her former companion.

## Fondling doctor struck off register

By MICHAEL HORSNELL

A DOCTOR who fondled a woman patient aged 31 all over her body during an examination in her bedroom was struck off the medical register yesterday for serious professional misconduct.

The incident was Dr Johannes Kuur's third "bawdy exploit" in five years, the General Medical Council's professional conduct committee was told. He admitted indecent behaviour against two women, known as Mrs A and Mrs B.

Rosalind Foster, for the GMC, said that Dr Kuur, of Paignton, Devon, went to Mrs B's home to conduct an insurance medical. She was shocked when he followed her upstairs and into the bedroom, where she lay on the bed while he massaged her thighs and groin before fondling her breasts.

Miss Foster said: "Mrs B felt as though he had touched every part of her body, except internally."

The doctor had previously resigned from a group practice in Paignton, where his wife is still a GP, after Mrs A complained about his behaviour during two examinations. On one occasion, he lifted her skirt without warning and felt and squeezed her thighs. On the second occasion, he touched her genitals.

## Police dog found bomb suspect hiding in ditch

By A STAFF REPORTER

A POLICEMAN and her dog discovered an alleged IRA bomber hiding in a ditch, the Old Bailey was told yesterday. WPC Susan Quinlan, of Greater Manchester police, was searching fields last February near the M62 when she realised that Tyson, her dog, had found someone. "I shouted to anybody who was there to show themselves and to come out slowly. A pair of hands emerged from the ditch and then the rest of the person. The dog bit him on the right arm," WPC Quinlan told the court.

She said the man, whom she identified as Denis Kinsella, was covered by brambles, nettles and undergrowth. WPC Quinlan and Tyson had been called in to help the search in the early hours after three men, alleged to form an IRA active service unit, abandoned their hijacked car on the M62.

John Nutting, for the prosecution, has alleged they were making their getaway after planting bombs at a gasworks in Warrington last February. They were stopped in routine police checks in Warrington by PC Mark Toker who was shot three times when he began to search their van. The van was abandoned in a field before the gang hijacked a Ford Escort at gunpoint, forcing the owner into the boot.

The Escort attracted police

attention in Manchester and was pursued on to the M62 where the three abandoned it. They fled up the motorway embankment but police caught Patrick MacPhloinn. Denis Kinsella was also caught nearby but the third man, who gave his name as Michael Timmins, escaped.

Hours later, the explosives the men had allegedly planted went off at the gasworks. But only one punctured the skin of the giant gas holders, causing a huge fireball.

Mr MacPhloinn, from Dublin, and Mr Kinsella, from Nottingham, deny causing an explosion, attempting to murder PC Toker, causing him grievous bodily harm with intent, kidnapping a motorist, Lee Wright, attempting to murder PC Andrew MacKay and possessing a firearm. Mr Kinsella's uncle, John Kinsella, also from Nottingham, denies possessing a firearm.

PC Norman Lee was cross-examined by Denis Kinsella's counsel, Michael Mansfield QC, about possible clothing contamination. He agreed that firearms residue already on his clothes "may well" have transferred to Denis Kinsella's clothes during the arrest.

The two officers who took Denis Kinsella across fields to a police van denied verbally and physically abusing him. The trial continues.

## Neighbour 'tipped entrails into house'

By A STAFF REPORTER

A WOMAN tipped 80lb of rotting chicken entrails, maggots and cockroaches down her neighbour's chimney because she thought they had taken her puppy, the Old Bailey was told yesterday.

Eleanor Brewer told the jury: "It was revolting — I have never smelt a dead body, but that is what I imagine one would smell like." Andrew Coleman, for the prosecution, said Linda Rosenberg, 49, of Wimbledon, southwest London, had blamed Mrs Brewer's family for the disappearance of her dog.

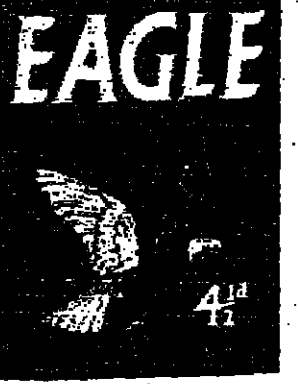
In June last year, the Brewers were entertaining "when there was an awful thud in the fireplace and a horrible smell". Mrs Brewer said: "Behind the gas fire were rotting entrails of chickens and turkeys, cockroaches and maggots. It took two hours to clear up."

Mr Coleman alleged that Ms Rosenberg threatened to kill Mrs Brewer's husband Alan and her sons aged 14 and five and daughters aged 13 and nine. He said she had appeared at their door carrying a replica gun and that the family had had to barricade themselves in a bedroom.

Ms Rosenberg has denied making threats to kill, affray and possessing an imitation gun. The trial continues.

## Exit Dan Dare, pilot without a future

By JOE JOSEPH



Eagle, whose heroes suited 1950s morals

DAN Dare, "pilot of the future", may have saved the planet but he has proved unable to rescue the comic that charted his battles against the Earth's foes.

Eagle, founded in 1950 by the Rev Marcus Morris, a Lancashire vicar who wanted to steer the young towards Christian values, has closed. Dare's fate is in the hands of Zenith, a film company that might turn his adventures into a television series. Dan Dare — an

archetypal British superhero who would be as likely to wear knickers over his trousers as he would to swear — is taking his fate on his square chin. His creators aren't.

"He's a great hero," David Hunt, Eagle's editor, said last night. So what finally did for him? "Kids of today want their story tougher, grittier. Also Dan was very much a 50s hero — maybe too British-stiff-upper-lip for modern tastes." Launched

from a tin shed in Southport, Merseyside, at 4½d a copy, the Eagle sold more than 750,000 a week in its heyday as Dan patrolled the solar system.

Mr Morris complained that American comics were "corrupting the morals of little girls in plaits and boys with marbles bulging in their pockets". He believed that Eagle could convey "the right kind of standards, values and attitudes, combined with excitement".

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be 90232647.  
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## Tory turmoil could swing MPs against reform of gay law

By Jill Sherman and Edward Gorman

THE prospects of a free vote in the House of Commons this month lowering the age of consent for homosexuals are being jeopardised by a major row over the law. MPs said yesterday they believe that a ministerial resignation, which has raised questions about personal morality, is likely to dissuade some Tory MPs from voting to reduce the age of consent for gays from 21 to either 18 or 16.

Constituents have warned several backbench MPs not to vote in favour of a change in the law and there are signs of increasing pressure from sections of the Church of England opposed to liberalisation.

One leading opponent, the Rev Tony Hinton, rector of Hawkwell, Essex, implied that the Government was in no position to support a change in the law in the present circumstances. "If the Government does persist in this, they might actually lose their credibility altogether," he said.

Tory lobbyists admitted yesterday that the timing was not ideal for promoting a more liberal attitude towards gay rights. "This is not the best moral climate to discuss the issue. But it has got to be sorted out," said Paul Barnes.

Churchmen and constituents warn the Government that its credibility could be lost if next week's free vote ends the status quo

of Torche, the Tory campaign for homosexual equality. A cross-party group of MPs led by Edwin Currie, Tory MP for Derbyshire South, will today table an amendment to the Criminal Justice Bill, calling for the age of consent to be equalised for homosexuals and heterosexuals after the second reading of the bill. The amendment is being sponsored by Neil Kinnock, former Labour leader, and Robert Maclean, Liberal Democrat home affairs spokesman. MPs will be given a free vote next week both on that amend-



Currie favours lowering homosexual consent to 16

ment and one calling for the age of consent for gay people to be lowered to 18.

Torche claims that at least 50 Tory MPs support an 18 limit while 130 back the status quo. The rest would abstain or have not revealed their intentions. The figures for Labour MPs are less clear, although Mr Smith predicts that a majority of his colleagues will vote in favour of equalising the age of consent at 16.

The argument for a compromise of 18 — so fervently opposed by lesbian and gay groups — is favoured by Dr John Habgood, the Archbishop of York, and was set out at the weekend by the Right Rev James Thompson, Bishop of Bath and Wells.

He said many people experienced an ambivalence about their sexuality in their teenage years. "A reduction of the age limit to 18 would allow time for this ambivalence to be sorted out, protect the vulnerable during the period of their personal formation and yet decriminalise a large number of homosexual relationships," he said.

Back to basics, page 1

## Housing market begins to build

By Rachel Kelly, Property Correspondent

MORE houses are being built than at any time since 1989. Government figures show that work began on 47,000 new homes in the three months to the end of November, a rise of 34 per cent on the previous year and 11 per cent on the previous three months.

The building of new homes is usually seen as a good forward indicator of the health of the market. Work began on 175,000 homes in the first 11

months of last year, compared with 156,000 in 1992 and 201,000 in 1989. The December figures, yet to be published, are likely to take the total above 200,000.

Sir George Young, the housing minister, said that the figures were encouraging and that higher prices were a sign of the strengthening market.

Roger Humber, president of the Housebuilders Federation, cautioned that the figures

reflected exceptionally high levels of public expenditure on housing association homes. "There has been no noticeable sign of a private sector recovery in the housing market. We are hoping that that the market will show signs of being more buoyant this year."

The Halifax building society has predicted house price rises of 5 per cent this year, and some estate agents believe they will rise by 19 per cent.



Tony Hale, centre, Allied-Lyons' chief executive, holds Bolingbroke's helmet from Terry Hands's *Richard II*, presented to mark his firm's £3.3 million sponsorship of the Royal Shakespeare Company. Also celebrating are actors Ben Kingsley, left, Robert Stephens, John Carlisle and Sinead Cusack

## Churchmen bloodied in hellish clash

By Joe Joseph

WHILE the Bible urges us all to love our neighbour, it says nothing about rival footballers, which is how it came to pass that a football match between a church and the Salvation Army turned into a battle that left five players injured.

Mike McGill, 47, a Baptist minister, broke his ankle. Two players broke their noses. Two others were substituted after suffering shoulder and leg injuries.

The good news is that this religious clash at Sheringham, Norfolk, is only an annual fixture. The disturb-

ing news is that it is billed as a friendly match.

Mr McGill, who now has his foot in plaster for six weeks, said: "It was a very rough game and it turned into a bit of a bloodbath. I know it sounds strange for Christians to suffer so many injuries in a game, but it was all played in good spirit with excellent sportsmanship on both sides."

"The younger players take it very seriously. So do a lot of the older ones. But after all the injuries, I am going to be hanging up my boots next year."

First for an early bath was

Stuart Lowe, 38, a Salvation Army bandsman who hobbled off after twisting his leg in the first half. Keith Pegg, 58, the team's striker, injured his shoulder. Physiotherapy at half-time brought no relief and Mr Pegg was substituted in the second half when the pain became too great.

John Balderstone, 23, the Baptist forward, left the field to go to hospital after a second-half clash of heads left him with a broken nose. His team-mate Tim Warnes, 23, a midfielder, also broke his nose when he went to head a ball kicked from six feet away.

He left the pitch for ten minutes, but came back on to finish the game.

A sliding tackle did for Mr McGill, but the minister saw out the final whistle. He found out he had broken his ankle only when he went for a hospital check-up.

The game, in its 16th year, may rank as the closest the modern church gets to a vision of real hell. The Salvation Army won the new-year match 4-3, and a reputation for taking no prisoners. The saloon bar boozers of Sheringham now ignore their collection tins at their peril.

## 'Tree of death' treats cancer

By Jeremy Laurence  
Health Services  
Correspondent

A DRUG made from a species of yew tree was claimed yesterday to be the biggest advance in the treatment of ovarian cancer in ten years.

The drug, called Taxol, was launched in Britain yesterday. It is made from the bark of the Pacific yew, a slow-growing evergreen found on the west coast of the United States. The drug works differently from any other currently licensed treatment, overcoming the resistance of some cancer cells to treatment.

The yew has been known as the "tree of death" since Roman times because of the poisonous effects of its needles, leaves, fruit and bark. But recent research has shown that a chemical in its bark, called paclitaxel, has a disruptive effect on the "structural scaffolding" of cancer cells, causing them to die.

In trials in America, the drug has been shown to be effective on ovarian cancers that have failed to respond to other treatments. Professor Gordon McVie, director of the Cancer Research Campaign, said: "The major excitement is that Taxol has succeeded where other treatments have failed." Dr Peter Harper, consultant oncologist at Guy's Hospital, London, said: "It is the largest step forward we have had for ten years."

More than 5,000 new cases of ovarian cancer are diagnosed each year in Britain, causing 4,000 deaths, twice as many as from cervical cancer. The high death rate is attributed to late diagnosis: most women do not recognise that there is anything wrong until it is too late.

A 40-year-old mother of two has had surgery to remove both her breasts, despite being perfectly healthy. Jenny Wilson, decided to have the surgery after being told that she had a 90 per cent chance of developing breast cancer. Her twin sister, mother, grandmother and great-grandmother have all had the disease.

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### PRODUCT RECALL

Quaker Oats Limited regret to announce that a number of batches of Sugar Puffs and Quaker Puffed Wheat breakfast cereals have been found to contain rough grain husks which could cause discomfort in the throat.

The product concerned can be identified by "Best Before" date coding and batch numbers which are stamped onto the packet top in a white box in this format:

Best Before Date → 301194 L52 ← Batch Code

Packages of all sizes, including catering packs, displaying the following codes should not be consumed:

#### SUGAR PUFFS

Best Before 30/11/94 with batch codes L52 to L90 inclusive.

Best Before 31/12/94 with batch codes L01 to L42 inclusive.

#### QUAKER PUFFED WHEAT

Best Before 31/12/94 with batch codes L16-18 and L37-39.

Customers who have one of these packets should throw away the contents and send the packet top with your name and address to receive a voucher for a replacement pack of Quaker product, plus cost of postage, to:

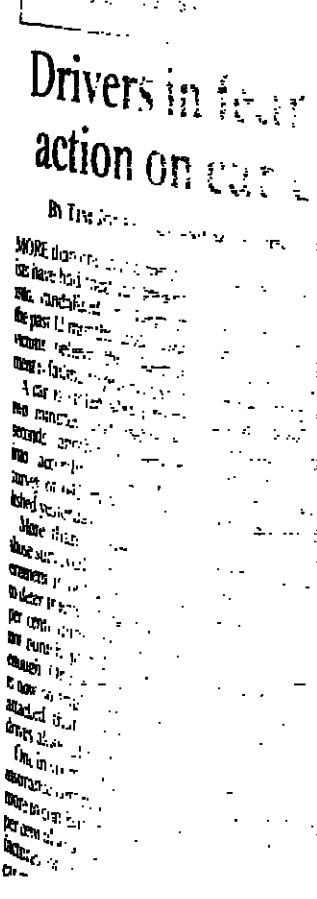






# Times inv

## Pollut fail to deadly

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# Times investigation: lost decade leaves ten million Britons in danger

By TONY DAVE AND  
NIGEL HAWKES

MINISTERS were accused yesterday of ignoring the growing threat to the nation's health posed by increasing air pollution as charities, doctors and scientists called for more research and tighter controls on dirty air.

They demanded greater action to protect the ten million Britons at risk from pollutants such as carbon monoxide, nitrogen dioxide and airborne particulates, which come mostly from vehicle

exhausts but are also caused by power stations and heavy industry.

They are concerned that the worsening quality of air is contributing to heart attacks and respiratory illness and also putting pregnant women and children under two at unnecessary risk.

Dr Malcolm Green, chairman of the British Lung Foundation, said: "We must make sure that the quality of our air does not continue to deteriorate, and get a commitment from individuals,

planners and the Government to take the necessary steps to reduce pollution."

An all-party group of MPs also attacked Virginia Bottomley, the Health Secretary, for failing to include asthma, the fastest growing illness in Britain with three million sufferers, in a review of the nation's health.

Dr Kim Howells, vice-chairman of the newly formed Commons asthma group, said: "We see asthma as a major illness which is costing the country a huge amount of money and must be

taken seriously by the Health Department."

A senior professor in environmental health said successive Governments had been responsible for a lost decade of research that might otherwise have answered vital questions about the impact of city air on health.

Throughout the 1970s and 1980s, the monitoring of air quality in Britain has been neglected, according to Roy Harrison, professor of environmental health at Birmingham University. "The government didn't think it was

serious. They were still thinking in terms of smoke and sulphur dioxide, which were declining as a result of the Clean Air Act."

Prof Harrison, who is chairman of the Government's quality of urban air review group, says a second crucial mistake was made by the Medical Research Council.

"We had a very strong track record in this country of understanding the health impacts of air pollution, largely as a result of the MRC's air pollution unit at St Bartholomew's Hospital, which was run by Prof Patrick Lawther.

They did excellent research, but when Patrick Lawther retired in 1981, the unit was closed."

The lost decade was the very period when the damaging effects of vehicle pollution were beginning to be appreciated. "We lost almost all our capacity in this field, thanks largely to lack of funds and lack of interest from the Government," Prof Harrison said.

"Nobody thought it necessary to continue the work until public pressure, and the recognition that asthma was increasing, changed

people's minds in the early 1990s." He said Britain was only now at the point where the research base was regenerating.

New regulations are expected to produce a small decrease — of 17 to 26 per cent — between 1992 and 2003, but after that, particulate emissions from diesel-engined cars are expected to increase again, returning to 1992 figures by about 2010. These figures are dependent on how many diesel cars are bought to take advantage of the substantially lower cost of fuel and the better fuel economy.

CHRIS HARRIS

## Polluted cities fail to monitor deadly cocktail

By TONY DAVE

MOST of Britain's big towns and cities fail to monitor the air their citizens breathe and have no plans to do so, despite mounting concern at increased levels of pollution, a survey released today reveals.

The survey, conducted by Friends of the Earth, found that only 10 of the 100 largest towns and cities in Britain monitor air quality.

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### Ignorance of international guidelines and failure to monitor air quality are commonplace, a Times survey has found

the Government is to set up a further 12 "enhanced" urban monitoring sites that will measure five key pollutants: ozone, nitrogen dioxide, sulphur dioxide, carbon monoxide and particulates.

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Fiona Weir, senior pollution campaigner for Friends of the Earth.

Her report is shared by the Environment Department although not by the rest of the Government, according to health experts. In a recent report on environmental protection, civil servants at the department admitted that Britain's commitment to reducing nitrogen oxide emissions this year "will be a tougher target than we had expected."

The report continued: "In the longer term, traffic growth in-line with current projections could ultimately reverse the improvements we will expect from new vehicle standards. The worst scenarios also showed increases at the worst high levels of sulphur dioxide recorded in Britain."

Setting targets that take account of the fact that air pollution is measured in several different pollutants and it is this unmeasurable cocktail that is causing the greatest concern.

Friends of the Earth believes the figures underestimate the problem because of the shortage of monitoring sites. Britain has only seven sites designed to measure with the most accurate instruments.

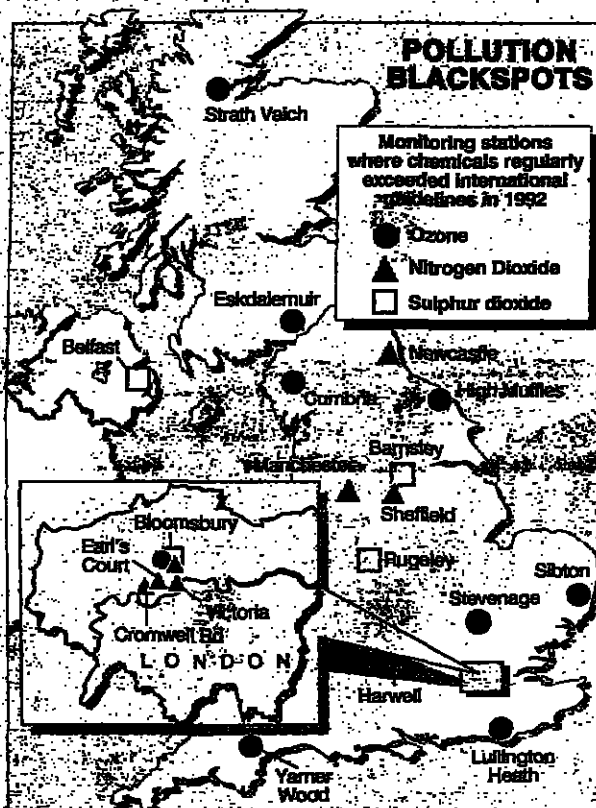
These are located in London, Manchester, Newcastle and Sheffield, with two more in Birmingham and Nottingham.

Friends of the Earth said the Government's way of monitoring air quality only when the levels exceeded high peak figures.

Friends of the Earth believes that people should be warned of poor air when lower limits are breached for eight-hour periods.



Friends of the Earth campaigners monitor the worst type of carbon monoxide emissions from rush-hour traffic in London yesterday



## Traffic-clogged streets put schoolchildren at risk

By LUCY BERRINGTON

FRIENDS of the Earth monitored carbon monoxide levels during the central London rush hour yesterday in an attempt to raise awareness of the damage traffic fumes can do to the health of those forced to endure them.

Fiona Weir, the group's senior pollution campaigner, said: "Children walking to school had to cope with some of the worst pollution."

The pollutants they face are the ones that come straight out of the exhaust pipe — carbon monoxide, nitrogen dioxide and benzene. The only way you can protect children is to cut the pollution."

Yesterday's exercise found levels generally between 8 and 15 parts per million, with peaks of 25 in the wake of smoky lorries. Less than one part per million is common in

the countryside. The World Health Organisation puts acceptable carbon monoxide levels at an upper limit of ten parts per million when averaged over eight hours. But Ms Weir said this conceals the danger of occasional peaks.

"You can be exposed to high levels of transient pollution, for instance when crossing a very busy road," she said.

"The blood is very good at absorbing it, so transience might be more harmful overall than consistent background levels."

Carbon monoxide reduces the oxygen-carrying capacity of the blood and is particularly harmful to pregnant women, the elderly and young. Those suffering cardiovascular and breathing complaints and anaemias are also at risk.

Friends of the Earth receives many anxious enquiries from those asking whether to move somewhere cleaner or how best to cope with the pollution. The organisation responds with leaflets that inform but hardly pacify.

But Ms Weir remains optimistic. She has a vision of a ten-year policy package to improve and reduce the cost of public transport. Towns would be designed to reduce our need to travel to amenities, and the car would be made less glamorous by enforcing lower speed limits.

"Realistically, we could stem traffic growth quite substantially," she said, "and get levels of pollution down to protect people's health. It will mean changing our transport usage quite radically, but it won't mean a car-free Britain."

## Drivers in fear want action on car crime

By TIM JONES, TRANSPORT CORRESPONDENT

MORE than one in five motorists have had their car broken into, vandalised or stolen in the past 12 months, and many victims believe the Government is failing to protect them.

A car is stolen every 45 seconds and every 40 seconds another is broken into, according to an RAC survey of 643 motorists published yesterday.

More than 70 per cent of those surveyed think the Government is not doing enough to deter thieves. Nearly all (91 per cent) think the law does not punish joyriders harshly enough. One woman in three is now so frightened of being attacked that she no longer drives alone at night.

One in six motorists believes insurance companies could do more to combat crime while 53 per cent also accuse car manufacturers of inaction. Fear of car crime had caused all but 4 per cent to alter their driving behaviour, with 85 per cent

now parking in well-lit places. Forty per cent have at least one security device fitted to their car, such as a car alarm.

Londoners are most at risk, according to the survey. David Freeman, RAC group managing director, said: "We must all unite to combat the epidemic of car crime which is sweeping into our society."

Colin David Ray, of the Metropolitan police, said: "If more people, both witnesses and victims, actively report car crime incidents, we will be better placed to fight this growing trend."

Vehicle crime accounted for 28 per cent of all reported crime in 1992. Nearly 600,000 cars were stolen and more than 950,000 broken into in England and Wales. Insurance companies paid out an estimated £648 million.

More than 85 per cent of those questioned said they would consider paying more to help fight car crime.

## Tourists face fire threat at busy European nightspots

By MARIANNE CURPHEY

HOLIDAYMAKERS risk being trapped by a fire in popular tourist discotheques and nightclubs, according to the Consumers' Association.

Researchers claim that a quarter of venues surveyed in Tenerife, St Tropez, Blackpool and Brighton were potentially dangerous.

Out of 70 nightspots, five were rated "appalling" with locked and chained fire exits, obstructed and wrongly signed escape paths, easily combustible furniture and fittings, and inadequate emergency lighting.

The association's magazine, *Holiday Which?*, claims that three venues in Tenerife and two in St Tropez were the worst. In Britain only 13 discos visited had completely satisfactory escape routes and one in Blackpool gave "considerable cause for concern".

The magazine claimed that the Blackpool venue had inadequate means of escape and not enough exits. It claimed there were two sets of steps to negotiate at the main exit, and rated the club "fair" overall.

The owner said yesterday that he totally refuted the claims and would sue *Holiday Which?*. He said that his venue had been allowed to let in 1,200 people after a survey by the fire brigade. "We have been open only 15 months and I hold a certificate of safety from Lancashire county fire brigade," he said. "My family work in the club and safety is my top priority. Numbers are tightly controlled and we are inspected regularly by the police and local council."

*Holiday Which?* says that thick smoke from a generator in seven discos, mirrors that could confuse in an emergency and possible fire hazards including curtains and thatch were among problems identified in some of the 23 clubs in

Brighton and Blackpool. It rated eight as fair, seven as good and eight as very good, according to the number and availability of fire exits, fire-fighting equipment, alarm systems and crowd control.

Patricia Yates, the magazine's editor, said: "Reveilers are still at risk in Europe's nightspots more than a decade after a fire which killed 49 people in a Dublin disco."

In Tenerife, eight out of 24 clubs were rated poor overall, with two in Playa de las Americas, and one in Puerto de la Cruz, judged appalling.

The magazine also claims that travel brochures use every trick in the trade to persuade holidaymakers to book. Ms Yates said: "The reality behind special offers such as free child places, lowest price guarantees and free car hire is that you could end up paying 50 per cent more than you expected."

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## NEWS IN BRIEF

### Drugs duo terrorise old woman

An 80-year-old wheelchair-bound woman was robbed in her home by two men who cut the telephone lines and left her helpless in her back garden in the rain.

Grace Branson, from Stoke Goldington, Buckinghamshire, a double amputee, answered the door to two men who demanded £1,000 to buy drugs. They then ransacked the house and stole about £200. Before leaving, they dumped Mrs Branson outside. The men are described as West Indian. One of them is 5ft 8in tall and in his 20s.

### Recaptured

Clifford Johnson, shot in the face while on the run since November from an open prison in Yorkshire where he was serving a sentence for robbery, has been recaptured at a house in Pelton, Co Durham.

### Victims named

Two men killed when their light aircraft crashed into a hill in Shropshire were Melvyn Wroe, 53, of Abermule, Powys, and Harry Grocott, 63, retired, from Nantwich, Cheshire.

### Condor moment

Tons of earth are being shifted into a 50ft mound in Weyhill, Hampshire, so George the condor can get lift-off. In the wild, it would use thermal currents.

### Boy hanged

Christopher Strain, 14, has been found hanging from a tree near his family's new home in Redditch, Hereford and Worcester.

## Roads to ruin

The Department of Transport plans to spend £23 billion of our money concreting our countryside, robbing our wildlife of vital habitats and polluting our air by positively encouraging yet more traffic. They call it progress. We call it a road to ruin.

### Friends of the Earth has a better idea.

Sustainable transport. Investing now in better bus, rail and cycle networks nationwide is an affordable, logical, safer policy that benefits everyone. Including drivers. And the environment.

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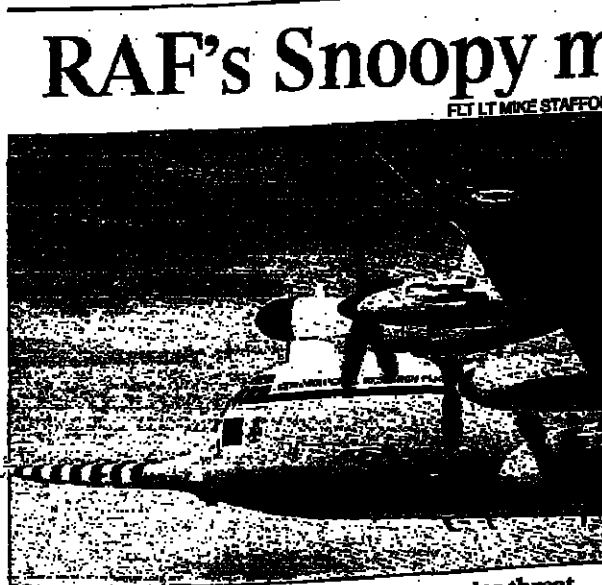
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**Friends of the Earth**



The air-borne research laboratory under threat

## RAF's Snoopy may have met his Red Baron

By MICHAEL EVANS, DEFENCE CORRESPONDENT

THE adventures of Snoopy, the RAF's oldest-looking aircraft, which acts as a meteorological research laboratory, could be ended as part of the Ministry of Defence's cost-cutting review.

Snoopy, a Hercules C130 with a 22ft "barber's pole" nose, is on a list of aircraft being examined by a small team of civil servants at the Defence Ministry. The Red Arrows are also on the list.

MPs will be given a progress report today on the defence cost study, announced by Malcolm Rifkind,

the Defence Secretary, the day after the Budget last November. Savings of more than £1 billion must be found in the next three years.

Snoopy is one of the world's most sophisticated flying laboratories for atmospheric research. After the end of the Gulf War in 1991, it was the first aircraft to check for chemical and radioactive elements in the thick black clouds of smoke pouring from the burning Kuwaiti oil wells.

The plane is operated by the Meteorological Research Flight, based at Farnborough,

Hampshire. Twenty-five civilians and six RAF aircrew are employed to operate the flights and examine the findings.

Snoopy has probably the lowest flight rate of the RAF's fleet of Hercules aircraft, some 350-450 hours a year. However, it has always been in demand and is frequently involved in collaborative experiments with other countries, recouping some of its cost. The plane has also played a part in studies of the ozone holes above the Arctic and Antarctic.

John 10150



# Lib Dems accused of hypocrisy over racist leaflets

BY ARTHUR LEATHLEY  
POLITICAL CORRESPONDENT

THE simmering row over racism within the Liberal Democrat party boiled over last night as Paddy Ashdown was accused of "posturing on principles" and leading a "bunch of hypocrites".

The leadership faced criticism after a party decision not to expel members accused of producing racist leaflets in Tower Hamlets. An internal party enquiry recommended last month that three members of the Tower Hamlets party be expelled, but a London regional meeting has decided to allow two of the members, Tom Winnifirth and Jonathan Mathews, to remain in the party. The third member, Jeremy Shaw, has already resigned.

The party was accused yesterday of a whitewash by Labour and Conservative politicians, who claimed that Mr Ashdown's attempts to rid the party of racist elements had failed.

Jack Straw, the shadow environment secretary, who accused Liberal Democrats of distributing racist material in a by-election last autumn, said: "The whole exercise has now been exposed as a cynical whitewash." He claimed that the decision had been taken to prevent expelled members exposing the involvement of senior Tower Hamlets party members in using racist tactics.

Liberal Democrats responded angrily that the party had carried out a full, open enquiry into allegations against its own members, contrasting its actions with Labour's lack of response to similar accusations about its conduct in Oldham and Liverpool.

Labour and the Conservatives seized on the possibility of a showdown between Mr Ashdown and Simon Hughes, the party's environment spokesman and one of the most bitter critics of the Tower Hamlets local party. Mr Hughes called for tough disciplinary action to be taken against the east London activists and he attended a London regional meeting last night to call for further safeguards to

**The decision not to expel Lib Dem activists accused of distributing racist literature is a whitewash, Labour claims**

ensure that the Tower Hamlets party came under greater control of the party headquarters.

Gerry Malone, a Conservative Party deputy chairman, called on Mr Hughes to make his position clear. He added: "Paddy Ashdown's posturing on principles in politics have been exposed for the sham they are. His party is a bunch of hypocrites who always have been, and always will be, happy to punch below the belt."

The Liberal Democrats set up an internal enquiry, led by Lord Lester of Herne Hill, into



Shaw: resigned before party reached decision

a succession of allegations that racist party leaflets had been distributed in Tower Hamlets. Mr Ashdown fully endorsed the enquiry's conclusions last month that Liberal Democrat literature had "pandered to racism" and that proceedings should begin to expel the members.

Matthew Taylor, the party's campaign chairman, said yesterday that the regional committee's decision, taken at a meeting which finished in the early hours of yesterday, was "entirely consistent with the recommendations of the enquiry report". Although the

report called for expulsion proceedings to begin, it had also said that the regional committee should make a final decision after taking account of further evidence from the accused activists.

Mr Taylor added that they regretted the leaflet and had given written undertakings not only not to do this again but, in the case of Tom Winnifirth, who was responsible for the leaflet, not to stand as a candidate or to have any further responsibility for leaflets in future.

The decision not to expel members brought some relief to Liberal Democrat leaders, who had been threatened with a wave of resignations among Tower Hamlets activists if there had been expulsions.

The race issue brought the national leadership into bitter conflict with activists in the east London borough, the only inner-city council under the party's control. Local members claimed that the national party had lost touch with affairs in the deprived borough and some members threatened to form an independent group if activists were expelled.

Last night Mr Ashdown considered that the decision had "drawn a line" under the controversy and had shown that the party had acted properly in chastening some members who had overstepped the mark. However, decisions have yet to be taken over what, if any, disciplinary action should be taken against three Tower Hamlets councillors who were criticised for failing to co-operate with the internal enquiry.

Jonathan Davies, chairman of the London regional committee, said last night that the decision had been taken "on the basis that the two members had shown they understood and accepted the enquiry report. We are happy that there will be no repetition of these unfortunate incidents."

## Labour unmasks impact of tax changes

BY JILL SHERMAN  
POLITICAL CORRESPONDENT

THE average family will face tax rises of £1,330 over the next two years, Labour claimed yesterday as it accused the Tories of "deceit unrivalled in the history of taxation".

Launching a poster campaign similar to that employed by the Conservative Party in the last general election, Labour identified 20 new hidden taxes ranging from VAT and National Insurance rises to the freezing of personal tax allowances.

Over the next few weeks, more than a million pamphlets are to be distributed throughout the country giving details of how the tax rises will affect households.

Gordon Brown, the shadow Chancellor, argued that the Conservatives fought the general election in April 1992 on lower taxes, focusing on bogus claims about Labour's tax plans. "The real Tory tax rises are far higher than the fictitious claims about Labour's tax plans, amounting to what is an extraordinary political one-up and an act of hypocrisy, broken promises and deceit unrivalled in the history of taxation," he said.

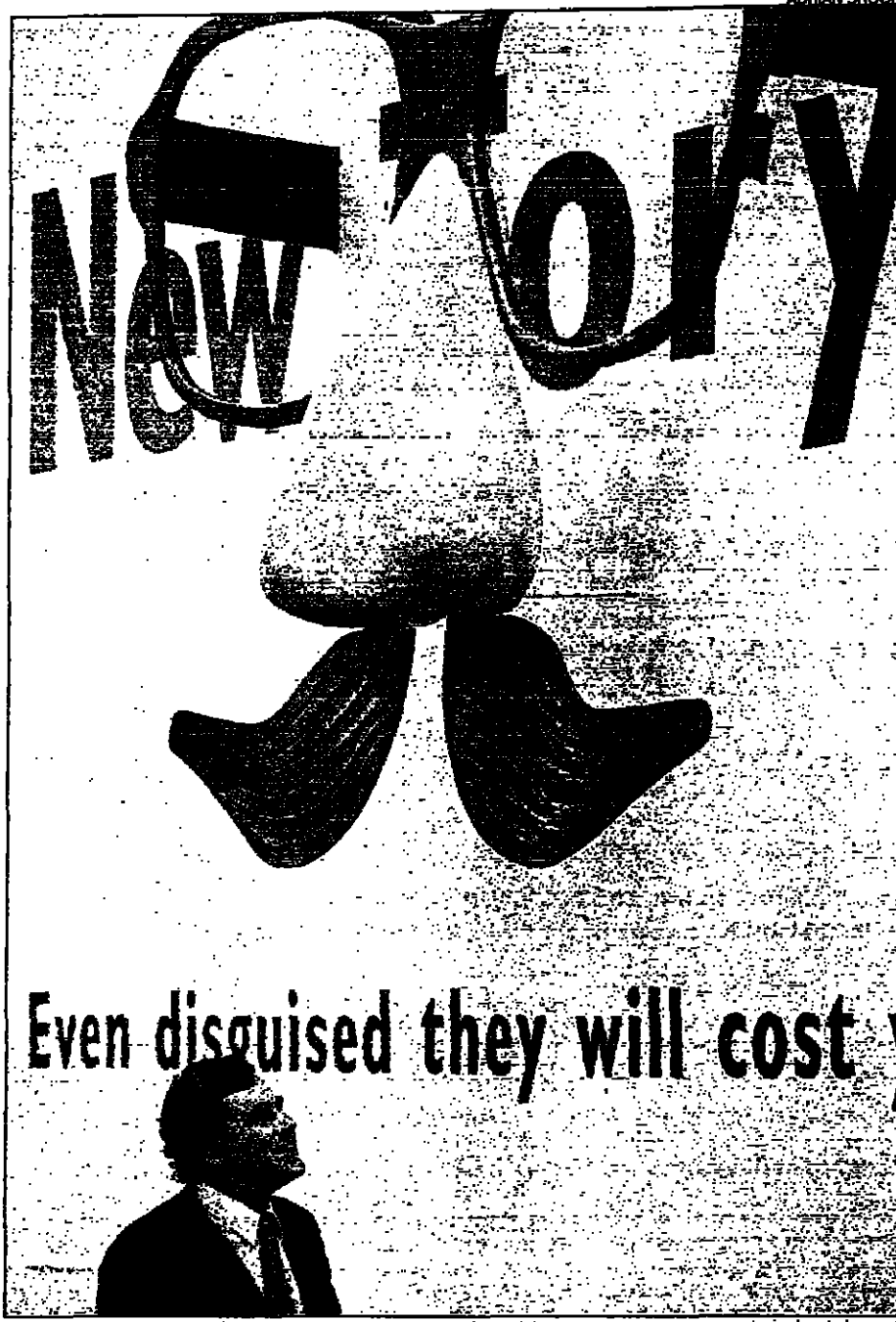
Measures introduced in the last two Budgets would hit the very people the Conservatives promised to protect from Labour's "tax bombshell", Mr Brown claimed.

While the Tories had predicted that a computer operator on £15,000 would pay £647 more tax under Labour, in fact he would be charged £811 under the Tories, Mr Brown said.

A car assembly worker on £12,000, allegedly facing a bill of £359 under Labour, would pay £779 extra under the Tories.

A clinical nurse on £13,250, who the Tories claimed would pay £479 more under Labour, would face a tax hike of £791.

Mr Brown said the tax rises had also been unfairly distributed. "The top 1 per cent



Gordon Brown, the shadow Chancellor, launches Labour's poster campaign against the Conservative Party's tax policies in London yesterday

received £3.2 billion a year from the tax cuts of 1988 but will have to pay only £300 million in tax rises next year, saving themselves £2.9 billion."

Labour's tax plans arguably lost it the last election but Mr Brown insisted that the party was now determined to "build a new trust between the electorate and Labour on tax".

Mr Brown produced a calendar showing how and when the new taxes would affect households.

While people were now feeling the effects of excise duty on alcohol and tobacco, they would soon be hit by limits on mortgage tax relief, increased premiums on car

and house insurance, VAT on fuel and further reductions in the married couples' allowance.

Harriet Harman, the shadow Chief Secretary to the Treasury, produced figures showing that direct tax would be 1 per cent higher for a family on average earnings with two children than when the Conservatives came to office in 1979.

A married couple on average earnings of £19,460 with one male earner and two children paid 20.9 per cent of their income in tax in 1979, yet would pay 21.9 per cent after the latest "tax bomb", Ms Harman said.

Yet rich families who received tax times the average

earnings had seen the share of their income taken in direct tax fall sharply from 65.6 per cent in 1979 to 37.4 per cent in 1993-94.

Ms Harman claimed that Labour would fight every passage of the Finance Bill, which implements the Budget proposals. "Above all we will ensure that after this betrayal of the British people, nobody will ever trust the Tories on tax again."

The Labour poster to highlight the Government's broken pledges shows a giant pair of fake glasses, false nose, eyebrows and a moustache over the words: "New Tory taxes. Even disguised they will cost you an extra £1,330."

## AROUND THE LOBBY

### Hurd hints at plan to step down

Douglas Hurd yesterday fuelled speculation that he might leave the Government this year by saying that he has realised all his political ambitions (Nicholas Wood writes).

The Foreign Secretary's plans are seen by Tory MPs as critical to the shape of the next Cabinet reshuffle. Many will take his remarks yesterday as a hint that he might step down this summer.

However Mr Hurd, 63, kept his colleagues guessing by adding that he was in no hurry to leave the Foreign Office, a post he has held for more than four years. "There isn't really anything else I would like to do politically. I feel satisfied and that is rather nice. I do not carry a lot of ambition around with me although I notice it on other people's shoulders as a load which can dominate their lives," he said in an interview with *Westminster's House Magazine*.

There are lots of other things I want from life — to write books, to travel more but at a slower speed, and to spend more time with friends and my two small children before they become adults."

### Bosnia caution

Baroness Chalker of Wallasey, the Overseas Aid Minister, told the Lords that air strikes in Bosnia might heighten the trouble. She resisted demands from Labour to seek a relaxation of the United Nations arms embargo.

### Lords warning

The Government is facing a tough fight in the Lords over its Bill to raise National Insurance contributions, Baroness Turner of Camden, above, Labour's spokesman on social security, warned. As the Bill had been rushed through the Commons, the Lords had a greater duty than usual to give it careful scrutiny, she said. The Bill, which will raise National Insurance contributions from employees by 1 per cent to 10 per cent of taxable income, was forced through the Commons in December under a guillotine.

**In Parliament**  
Commons (2.30): Questions: defence; Prime Minister. Criminal Justice Bill, second reading.  
Lords (2.30): Statutory Sick Pay Bill, second reading.

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## Attempts to end suspect's right to silence condemned

BY FRANCES GIBBS, LEGAL CORRESPONDENT

GOVERNMENT plans to curb a suspect's right to silence, which come before MPs for debate today, are meeting a barrage of opposition from the legal profession.

The Law Society and the Bar, as well as law reform bodies such as Justice and the Legal Action Group, say that the measures will increase the risk of wrongful convictions.

The organisations launched a campaign today to coincide with the second reading debate of the Criminal Justice and Public Order Bill in the Commons. In its briefing report to MPs, Justice, the all-party human rights group concerned with miscarriages of justice, says that abolishing a suspect's right to silence at the police station is both dangerous and unnecessary.

The legal groups are particularly concerned about new powers to end a suspect's right to silence in court. The Bill gives judges powers to compel reluctant defendants to give evidence at trial. This "seriously undermines the principle of the prosecution's burden of proof", Justice says. "A defendant who decides not to give evidence will appear to the jury to be defying the court's request," it says.

Robert Seabrook QC, chairman of the Bar, has expressed the "gravest concerns" about the powers, which he says are an "insidious undermining" of the burden of proof. Anne Owens, Justice director, says that removing the right to remain silent and "pressurising suspects to speak will actively encourage the discredited practice of forcing admissions from those assumed to be guilty."

In a second paper to MPs the Law Society says that the Government has "failed to recognise the reasons why the Royal Commission on Criminal Justice was set up in 1991" — namely lack of public confidence in the criminal justice system. "The main effect of this bill will be an even greater risk of miscarriages without increased convictions of the guilty." A clear majority of the Royal Commission recommended that the right to silence should not be abolished.

The Bill also fails to set up a new independent review body to look into miscarriages of justice, the society says. There is also mounting opposition, led by the Tory peer Baroness Faithfull, to the proposed secure training orders. These are the new custodial sentences for persistent offenders aged 12 to 15, and will amount to the creation of

"mini-prisons" for juveniles, Lady Faithfull says. Opponents argue that courts already have substantial sentencing powers to deal with this age range.

The society points out that new secure training centres will cost £30,000 a year for each offender.

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## Poll backs councils

MOST people in North Yorkshire, Humberside and Lincolnshire are in favour of keeping their counties, according to a MORI poll published yesterday. Local government structures are under review and one likely casualty is Humberside, with the anticipated recreation of the Yorkshire Ridings.

The Local Government Commission, headed by Sir John Banham, ordered the poll after presenting draft recommendations for local government in Lincolnshire and North Yorkshire and North Humberside. Leaders of threatened councils say the survey has helped to support their

battle to retain the status quo. Mitch Upfold, deputy leader of Humberside Council, said: "There is no case for change according to the figures." In North Humberside 27 per cent prefer the status quo, with 14 per cent choosing the Ridings option. In North Yorkshire 56 per cent support the unitary authority principle but in Craven that falls to 29 per cent, and to 42 in Ryedale.

The status quo carried a 35 per cent vote in Hull and a 37 per cent vote in North Yorkshire. Some 38 per cent of residents in South Humberside voted for the status quo. The first option in Lincolnshire was the status quo (53 per cent).

## KEENE on CHESS

BY RAYMOND KEENE  
CHESS CORRESPONDENT

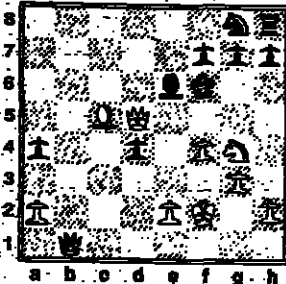
### Hi-tech challenge

IN THE period between the conclusion of the Hastings premier tournament and the start of the qualifying cycle for the Fide Championship this Sunday, *The Times* will be publishing the best of the readers' games which have been submitted. Mr C. Micoi of Liverpool played the following imaginative game against one of the many chess computers now commercially available. White sacrifices his queen's rook early on, but the displacement of the black queen proves to be sufficient compensation.

White: C Micoi  
Black: Mephisto Berlin  
Distia Chess Club 1993

Queen's Pawn Game	
1 d4	c5
2 Nf3	c4
3 g3	Qc5+
4 Bg2	Qb6
5 Bb2	Qxb2
6 c3	Qc1
7 cxd4	Qc1
8 Qb3	e5
9 Bb3	Bb4
10 Bb4	Qc4
11 Qd1	e4
12 Sa3	Ne7
13 Qb4	Ne7
14 Bg3	Ne7
15 Bb7+	Kd7
16 Qb5+	Kc7
17 Rf1+	Re8
18 Rb5+	Re8
19 Qb5+	Kc7
20 Qb4	Kc8
21 Nc5	Kc8
22 Qb5+	Kc8
23 Qc6+	Kc8
24 Qc5+	Kc7

### Diagram of final position



### Readers' games

Readers are invited to continue submitting their own games for possible publication in this column. Games should be sent to the following address: Keene on Chess, The Times, 1 Pennington St, London E1 9JN.

### Hastings weekend tournament

This event, the prize for which is the Lord Callaghan trophy, was completed over the weekend and followed the main events, the Premier and Challengers. The weekend competition resulted in a victory for Mark Hebden (Leicester) and Vlad Krashev (Kharzskan) who both scored 5.5 points from 6 possible. Joint runners-up with 5 points from 6 were Stuart Conquest (Bristol) and Aaron Summerfield (Harrow).

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Letters, page 15



# Opinion polls point to landslide victory for ANC

FROM R. W. JOHNSON  
IN DURBAN

South Africa's first multi-racial election already seems not only a one-horse race, but the African National Congress appears very likely to win a two-thirds majority, according to three opinion surveys published here yesterday. Such a majority would allow the ANC to write its own constitution and render nugatory the power-sharing deal so laboriously negotiated by President de Klerk over the past four years.

The surveys, conducted by the non-partisan Institute for Multi-Party Democracy, were carried out well before this weekend's decision by Chief Mangosuthu Buthelezi's Inkatha Freedom Party not to participate in the elections, a move that will doubtless further increase the ANC's majority.

But the surveys make it clear that Inkatha has already paid a high price for its long period of muted signals about its electoral participation. Early last year it had

**Inkatha has declared an election boycott. The African National Congress could win enough support to write just the constitution it wants, so killing President de Klerk's hopes of power-sharing**

moved up to 12 per cent and seemed likely to overtake the ruling National Party as the main pole of opposition to the ANC juggernaut. Now Inkatha's support appears to have collapsed to 6 per cent, even in the Zulu redoubt of Natal-KwaZulu, the party is well behind.

In polls averaged over the first half of 1992, Inkatha led the ANC in Natal by 37 per cent to 23. The problem is, with many black areas of Natal in a state of virtual civil war, opinion polling is a hazardous business and there is a notoriously large "lie-factor" as respondents seek a quiet life by giving the answer that is politically correct in terms of their township's predominant tendency.

The new poll researchers, trying to get round this, applied two methods of gauging current party support. Both measures give the ANC 51 per cent in Natal. Backing for Inkatha, however, varied widely at 24 per cent and 32 per cent. The latter figure seems more likely to be correct: 37 per cent of blacks said they did not want the ANC as first, second or third choice, and 34 per cent wanted Inkatha to be in any coalition government.

It seems likely that both sets of respondents were mainly Inkatha supporters, and the implications are clear: the ANC has achieved a sufficient hegemony in the urban townships for its voters to be unafraid to reveal themselves — and for their party to look set for

victory. Inkatha is well behind on either measure, and its supporters are correspondingly more cowed: a quarter of them were afraid to reveal themselves too openly.

If Inkatha maintains its resolve to boycott the election, Natal will be robbed of a close contest between an ANC-South African Communist Party bloc at 51 per cent and the parties of the centre-right at 48 per cent. The result, in effect, would depend on the differential turnout of the racial groups. Particularly critical for the result will be Natal's 900,000 Indians. On the one hand, the poll shows that 63 per cent of them are likely to vote for the National Party. On the other, they are also the most nervous and insecure of all groups, and large numbers of them are hovering on the brink of abstention. Ironically, given the endless humiliations that they suffered at the hands of Nationalist governments, if they do turn out in large numbers, the National Party in Natal will become a predominantly Indian party.



ELECTION  
COUNTDOWN

The result in Natal could be close (depending on whether or not Inkatha boycotts the election). The other polls, however, show that this is hardly the case for the crucial Pretoria-Witwatersrand-Vereeniging region in the Transvaal or for South Africa as a whole. The pollsters were unable to enter several strife-torn Transvaal townships, but in others they found the ANC ahead of Inkatha by 84 per cent to 1 per cent. Such results, anywhere in the world, can only be achieved by the brutal exercise of hegemony. As the ANC tightens its grip on the Witwatersrand town-

ships, Inkatha is being reduced to tiny outposts of resistance in embattled (and often literally besieged) hostels. In the region as a whole, the ANC is at 73 per cent, the National Party at 12 per cent, and the white right at 6 per cent.

Across the country as a whole the pollsters put the ANC at 67 per cent, with the Nationalists trailing far behind at 17 per cent and the Pan Africanist Congress at just 2 per cent, the figure to which the liberal Democratic Party has also collapsed in a telling comment on its ineffectual leadership. The only region the National Party seems likely to win is the Western Cape, although even that could be uncertain if the threatened mass busing into Cape Town of black squatters from the Eastern Cape materialises before election day.

Perhaps the most striking finding came in response to a question trying to discover if respondents would find it easy or hard to live next door to someone with different political views, an excellent index of the community pressures

felt by different groups. Only 4 per cent of whites said it was difficult or impossible, against 22 per cent of blacks. One man said it was easy for him to live next to a politically dissimilar neighbour — "You see, I've got a gun."

Most South Africans, in fact, and particularly whites, Indians and Coloureds, believe the election is bound to produce an increase in violence. For all that, majorities in every community are determined that the elections must go ahead, although it is clear that the turnout will drop dramatically if violence and intimidation continue.

□ Johannesburg: In the first open evidence of dissension among hardline conservative opposition to South Africa's transition to democracy, the government of the Ciskei homeland, the Freedom Alliance's smallest and least influential member, has announced that it will join the Transitional Executive Council supervising the run-up to the election.

Leading article, page 15

## British aid volunteer seized in Mogadishu

BY SAM KILEY, AFRICA CORRESPONDENT

SOMALI gunmen kidnapped a British aid worker with the United Nations World Food Programme in Mogadishu yesterday in what may be a reprisal for the killing of a Somali woman by American troops over the weekend.

Calum Gardner, 34, was snatched by three gunmen and bundled into a Toyota Land Cruiser as he walked the 40 yards from the World Food Programme residence to the office where he worked as a finance officer. Witnesses said the kidnapping took only a few seconds.

Last night aid workers said that the food programme team had made contact with Mr Gardner's captors and they were confident that he would be released soon. This optimism derives in large part from the involvement of General Muhammad Farrah Aidid's Somali National Alliance, which has been anxious to portray itself as a medium for diplomacy and national reconstruction since the UN gave up its attempts to arrest the warlord.

Alliance officials were last night understood to know who was holding Mr Gardner and they said they were "very upset" about the kidnapping. Mr Gardner worked as an accountant for a City finance house before volunteering for a year's tour in the Somali capital with Save the Children Fund (UK). He remained as part of a minimal staff with the fund during the worst fighting between American troops and the militia loyal to General Aidid when the warlord was wanted for his alleged part in the killing of 24 Pakistani peacekeepers last June. He transferred to the World Food Programme last November.

A short, unmarried man, Mr Gardner earned a reputation for being frosty during the fighting as he continued to work in his office even when battles threatened to engulf the Save the Children Fund compound and US Rangers fired stun grenades on to his roof. His sister and mother had tried on many occasions to persuade him to give up his dangerous work.

Gemmo Londeani, the World Food Programme director in Mogadishu, said yesterday that he had walked past the gunman sitting in the car used for the kidnapping several times before they struck when the British aid worker was alone.

"I think that they were waiting for somebody and the best moment. I know of no specific reasons for the kidnapping. We have no real threat against us," Mr Londeani said.

Yesterday Colonel Steve Rausch, the American military spokesman in Mogadishu, said the army had launched an investigation into the death of the woman, who had been shot while washing her face before prayers. She was eight months pregnant.

John Lovelace, a firefighter in the Sydney suburb of Terrey Hills, cooling off in rain that damped down blazes around the New South Wales capital yesterday

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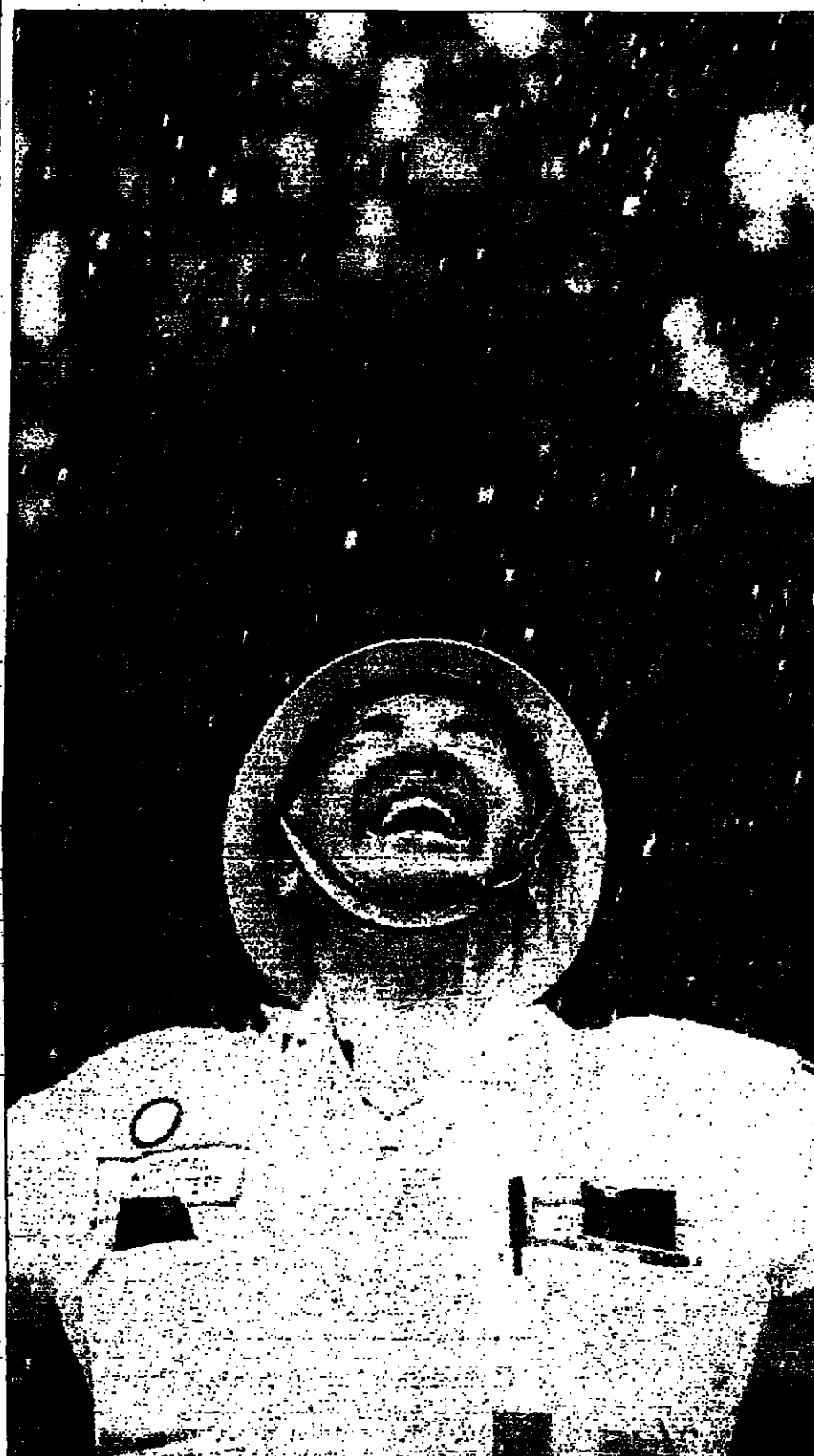
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## Showers ease Sydney fire risk but long, hot summer looms



John Lovelace, a firefighter in the Sydney suburb of Terrey Hills, cooling off in rain that damped down blazes around the New South Wales capital yesterday

## Farmers blame Greens as blaze bill tops £200m

FROM ROBERT COCKBURN IN SYDNEY

THE first estimate of damage in the New South Wales bushfire disaster was yesterday put at Aus\$400 million (£200 million) as the enormous relief and repair task got under way.

Despite brief rain in Sydney and other parts of the tinder dry state and a reduction in the number of fires, the forecast is for another period of sultry weather starting tomorrow when the extreme fire danger will return. This is only the start of Australia's long, hot summer with the driest months still to come in February and March.

The fire danger has eased in the south of the state, but some fires continue in northern and southern Sydney, and are particularly bad in the Blue Mountains and on the Central Coast. The threat is far from over.

As the extent of the damage to the magnificent national parks that surround Sydney was being assessed, a backlash has started against the Green movement, which opposes logging in wilderness

areas and favours nature taking its course. Bob Frank, a farmers' spokesman, said his association members fighting fire are "completely frustrated by the appalling condition of fire trails that were previously available in national parks. They seem to be closed or overgrown."

Mr Frank added that farmers could not reach the main seat of fires and were unable to create new fire breaks with "burn-backs". He said the National Parks and Wildlife Service practised a "management-by-neglect" policy and unfortunately listened to the misinformed Green movement.

The claim was rejected by Neil Shepherd, the service's director-general, who said the area of hazard-reduced parklands had been increased by more than 30 per cent to 44,000 acres in the past year.

Paul Keating, the Prime Minister, returning from a holiday, said the state government will assess the use of burn-backs and other preventive measures to check the impact of large fires.

turned to their home to find it full of possums. Scores of ringtail possums, young koalas, magpies, rain-bow lorikeets, wallabies, emus and reptiles have been taken to makeshift animal hospitals — but no koalas.

"We have lost whole colonies of koalas," Mr Gould said. Howard Ralph, a veterinary surgeon, said: "They instinctively claw their way to the top of [eucalyptus] trees, where they think they will be safe, but the fires trap them up there where the fire is hottest."

Some creatures stumbled into houses. One couple re-

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Some creatures stumbled into houses. One couple re-

## NEWS IN BRIEF

### Rabin gives warning on Gaza dates

Jerusalem: Israel warned the Palestine Liberation Organisation yesterday that it would delay its pullout from the occupied territories until all its outstanding problems with the Palestinians have been resolved at the negotiating table (Richard Bessent writes).

In a message, which coincided with the resumption of Israeli-PLO peace talks in the Egyptian resort of Taba, Yitzhak Rabin, the Prime Minister, said that none of the deadlines set out in the landmark accord signed with the PLO in September was sacred.

The Israeli leader said: "The basis for the target dates is the ability to reach an orderly, detailed and signed agreement to implement every stage. The dates are not what determine matters."

### Korean change

Seoul: Kim Jong Il, son and heir apparent to President Kim Il Sung of North Korea, has increased the strength of the country's feared intelligence agency and put it under his direct command, Lee Yung Dug, the South Korean Unification Minister, said. (AFP)

### Policemen shot

Cairo: In the first such attack this year, unidentified gunmen shot and killed two policemen in the southern Egyptian city of Assiut. Police believe Muslim fundamentalists were responsible. (Reuters)

### Toy guns ban

Hanoi: The Vietnamese government banned toy weapons — including guns, knives, swords, bows and arrows — because they encourage violence, newspapers reported. The importing of fireworks has also been curbed. (Reuters)

### Trunk road

Kuala Lumpur: A 100-year-old tree, once housed in a Hindu temple and believed to have supernatural powers, is drawing awe-struck Malaysians after a crane trying to uproot it in a Johor state road scheme overturned. (Reuters)

## Frenetic Japanese grab designer luck in a bag

FROM JOANNA PITMAN IN TOKYO

Ploughing a passage through the crowds on Tokyo's Ginza shopping street in any normal week following the new year holiday is close to being buried alive and feels, despite its mere 12-block length, about the same distance as a round trip from London to Birmingham. This year, however, the Ginza is more ghastly than ever.

The nation's frugal habits, heightened recently by a recession entering its fourth year, appear to have been put on temporary hold and the shopping crowds are reaching a pitch of dementia over the sale of "good-luck grab bags".

These are Japan's answer to an end-of-season bargain sale — but with a significant difference. "Grab bags" are unlabelled and sealed so that until the cash is handed over — anything from £50 to £5,000 — the buyer has no idea what is in it, apart from a guarantee that its contents are "designer".

For a nation whose people will walk miles just for the smell of a designer label, the blind bargain, even at £50

upwards, seems to be irresistible. Hundreds of hither-to maidenly ladies were forcibly elbowing their way into the Mitsukoshi department store in a great eddy of shopping bags, lips pursed in expressions of grim determination.

One stocky woman with a large coiffure fashioned into the shape of a motorcycle helmet appeared to be something of a veteran grabber, dispatching three undersized junior shoppers with considerable élan before lunging forward to scoop up three "Valentino" grabs for the princely sum of £350.

She clambered back over the throng and opened her trophies to find a mélange of silk scarves, belts, handkerchiefs and other better-forgotten end-of-season items, all of them crucially emblazoned with the necessary labels.

The attraction of the grab bag apparently lies in the guarantee that its contents will together be worth the face value of the bag or more, and if they do not fit or suit the buyer's taste, can

be passed on as gifts because of their designer status.

Recession-troubled Japanese men, women and children are flocking like locusts to temples and shrines to make their annual pilgrimages to pray that more money comes their way during the year.

The National Police Agency reports, with characteristic attention to detail, that a record 85,432,700 Japanese visited Shinto shrines and Buddhist temples over the three-day holiday. More than three million of them swarmed into Meiji Jingu, Tokyo's largest shrine, which had to be equipped with comfort stations, fleets of portable loos and large areas where lost souls could congregate and wait to be claimed by their kin.

Recession is always excellent news for Japan's religious establishments. Worshippers, asking ever more desperate favours, feel compelled to grease the palms of the gods with more than usual generosity. At least monks have something extra to look forward to: they enjoy tax-free status.

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# President stings Europeans over Bosnia paralysis

FROM GEORGE BROCK  
IN BRUSSELS

Bill Clinton, with some of the harshest language ever used by any of the eight American presidents who have set the tone at Nato summits for 45 years, challenged European governments to back their tough words on Bosnia with military action.

In telling his fellow members of the alliance either to put up or shut up, the President went to the heart of the dilemmas that plagued yesterday's summit of the 16-nation transatlantic group. The leaders managed to find an agreed balance between competing claims of reassurance for Russia and closer links for Eastern Europe, but their discussions on Bosnia were marked by a querulous guilt.



Belgrade: Radovan Karadzic, left, the Bosnian Serb leader, reacted with fury yesterday as Nato leaders debated whether or not to bomb Serb positions around Sarajevo (Tim Judah writes). In a voice trembling with rage, he said the entire peace process would be in jeopardy if a draft communiqué reaffirming Nato's readiness to bomb the Serbs, with the authority of the United Nations, was issued today. He threatened to pull out of peace talks in Geneva if the Nato leaders issued the draft communiqué circulating yesterday.

As the President implied, the alliance has become expert at making threats which its members cannot find the collective confidence to carry out. After 12 months of inaction, Mr Clinton has belatedly come to see that the alliance depends not only on its treaty but on the trust placed in its power. Yesterday, he was honest

enough to admit that Nato is developing a credibility gap that could corrode its very heart.

If you lack the determination to deliver what you have promised, he said, do not sign up to the promises. He must have been recalling the Greek and Danish governments agreeing to Nato's "readiness" to end the strangulation of Sarajevo

last summer, while making clear elsewhere that they opposed military action of any kind.

President Clinton was more brutal than the rules of summit diplomacy usually dictate but his words will not send Nato planes down the runway. Governments yesterday competed to sound more activist than ever, but officials privately admitted that there was no "magic solution" to the deadlock between America, Britain, France and Russia in the United Nations Security Council and with Boutros Boutros Ghali, the Secretary-General.

President Mitterrand of France moved early to take up an activist position close to Mr Clinton, but French officials explained that Paris would not be putting fresh pressure on Dr Boutros Ghali to

allow air strikes which he has so far refused. Last week, General Jean Cot, the UN commander and senior French soldier in the Balkans, complained publicly that Dr Boutros Ghali had refused his request for blanket authority to conduct selective air strikes in order to break the ring of Serb artillery around Sarajevo. The Nato commanders of American, British and Dutch fighter-bomber squadrons based at Aviano, in northern Italy, have argued alongside the UN's Balkan officers that they cannot use air power if New York permission is to be required for every strike. Six hundred potential bombing targets have already been identified. So much planning has already been done for so many varieties of possible warfare in Bosnia that governments find it

increasingly hard to bury the main issue in procedural decisions or further communications.

Nato's "no-fly zone" is being breached with growing impunity by Croats and Serbs. The UN counted 50 Serb helicopter flights in a single recent week.

Nato's paralysis reveals the quagmire into which all 16 governments have stepped by trying to rebalance the alliance. Europe, today's declaration will say, must take more responsibility for its own security. President Clinton has tried to stand back and let Europe get on with it. He allowed Britain and France to block his half-baked plan to hit the Serbs from the air and to lift the arms embargo on the Muslims.

But as Mr Clinton's frustration so plainly showed, yesterday, the

result has been to undermine Nato's clout. "And that," Mr Clinton said, "make no mistake about it, will have great ramifications in the future in other contexts."

□ **Bomb:** The Bosnian and Croatian leaders failed yesterday to agree on the terms of a ceasefire in central Bosnia. President Tudjman of Croatia and President Izetbegovic of Bosnia edged only a little closer to a peace formula (Roger Boyes writes).

President Tudjman had arrived with what he described as a peace plan giving Croatia a 17.5 per cent hold in Bosnia, and the Muslims more than 30 per cent. It would have given a future Bosnian state access to the Adriatic but not the port of Neum, and would have insisted on a web of guarantees for the Croats living in central Bosnia.

## Major sees Poles, Hungarians and Czechs at head of queue for Nato membership

### Alliance leaders endorse Clinton partnership deal

FROM MICHAEL EVANS, DEFENCE CORRESPONDENT, IN BRUSSELS

NATO issued formal invitations yesterday to Central and Eastern European countries to join the Partnership for Peace plan as the first step to possible membership of the alliance.

All the Nato leaders attending the two-day summit in Brussels made clear that they expected the scheme to lead eventually to membership of the alliance for suitable candidates. John Major listed Poland, Hungary and the Czech Republic as the Eastern European countries in the front of the queue for Nato membership. He said they had "a strong claim to membership".

He left out Slovakia, the fourth member of the so-called Visegrad group, even though the country has already indicated it will join the partnership group. British Government sources said the other three had faster developing democracies. Slovakia was developing at a different pace.

The Prime Minister was the first to name particular countries that seemed to have the right credentials for membership. However, all agreed there could be no set timetable. The emphasis was on an "evolutionary and transitional" process. The document offering the peace partnership, signed by all Nato leaders yesterday, said: "We expect and would welcome Nato expansion that would reach to democratic states to our East."

Permanent liaison officers will be invited to Nato headquarters in Brussels and a partnership co-ordination cell will be set up at Mons to carry

out planning for joint military exercises. The partnership status will be expected to help to pay for the new scheme.

The biggest carrot in the offer to consult with any partnership member that feels a direct threat to its territory. Although Nato is not offering security guarantees, the clause hints at possible support in the event of an attack.

Mr Major said those states that wanted to become members of Nato had "much work to do... to prepare themselves". Nobody suggested that Russia was an obvious candidate for Nato membership, but the partnership invi-



tation would be going to Moscow as well as to Kiev. The Prime Minister said that it was essential for Nato to build a closer relationship with Russia that acknowledged its special status. The Americans have already taken steps along partnership lines by asking the Russians to take part in a joint military exercise later this year.

A company of about 300 American soldiers from the 3rd Infantry Division, based in Germany, and a similar number from one of Russia's peacekeeping units, the 27th Guards Motorised Division, will exercise together in the

autumn, probably in Russia. President Clinton, who received unanimous support for his partnership idea, denied that it was a half-hearted compromise. He said it would give the alliance time to work towards enlargement with other countries that were capable of fulfilling Nato responsibilities.

Helmut Kohl, the German Chancellor, said that there had to be a real prospect of membership for those who joined the partnership group. Potential candidates had to trust the alliance.

President Mitterrand of France also fully supported the partnership plan, but called for Nato to put its own house in order, referring to the need for a stronger European defence identity.

Full approval was also given to the American idea of introducing combined joint task forces, flexible Nato assets that could be lent to other security organisations such as the Western European Union. □ Paris While Mr Mitterrand was representing France at the summit yesterday, his Gaullist-led government contradicted him on nuclear policy, saying that nuclear testing should be resumed as soon as possible.

The question of whether to end the international moratorium on testing is the only big difference on defence between the President and the conservative government.

Clinton warning, page 1  
Woodrow Wyatt, page 14  
Photograph, page 20



Warren Christopher's yawn in Brussels at the Nato summit yesterday betraying signs of the long negotiations that President Clinton's Partnership for Peace proposals have imposed on the US Secretary of State

## Ukraine agrees to nuclear accord

FROM MARTIN FLETCHER  
IN BRUSSELS

PRESIDENT Clinton last night chalked up a big foreign policy coup to boost his first official tour of Europe by announcing a deal with Ukraine to dismantle its nuclear arsenal, the third largest in the world.

Mr Clinton trumpeted the agreement as a "great step towards greater security for the US, Europe and the world" and a "hopeful and historic breakthrough".

He is to visit Kiev on his way to Moscow tomorrow to congratulate Leonid Kravchuk, the Ukrainian Prime Minister, and Mr Kravchuk will join Mr Clinton in the Russian capital on Friday for a three-way signing ceremony with President Yeltsin. If the Ukrainians live up to their commitments, the agreement to dismantle the 1,500 nuclear warheads they inherited after the Soviet Union's collapse will remove a major source of tension in the region.

"We have no reason to doubt the ability of the President to keep the commitments that he's prepared to make," Mr Clinton said, even though Ukraine has reneged on past undertakings to abandon its nuclear arsenal under the first Strategic Arms Reduction Treaty, and to sign the international Nuclear Non-Proliferation Treaty.

Kiev reneged on those commitments because of increasing nationalist pressures and rising tension with neighbouring Russia, and last month the Ukrainian parliament stipulated a further 13 conditions for complying with START I.

The deal is expected to offer political and economic benefits to Ukraine in return for the complete abandonment of its nuclear arsenal within three years.

## Moscow keeps fearful watch on borders

FROM MICHAEL BINYON  
IN MOSCOW

THE future of Nato will be the main issue dominating the Clinton-Yeltsin summit in Moscow on Friday.

President Yeltsin has left the West in no doubt that admitting former Warsaw Pact members to the alliance would wreck reform in Russia and fuel nationalist extremism. His swift and furious reaction to Lithuania's application was intended as much as a warning to President Clinton and Western leaders preparing for the Nato summit as to President Brazauskas and fellow Baltic leaders echoing his call.

Why is Russia so afraid of an extension eastwards of Nato, an alliance which it has officially ceased to regard as aggressive and in which Moscow itself participates through the North Atlantic Co-operation Council? The answer lies in a combination of Russia's history, geography and turbulent politics. It is also a clear sign that despite the revolutionary overthrow of communism, 70 years of Marxist isolationism and 40 years of institutionalised hostility to Nato and the West have left scars on the Russian psyche.

Throughout history Russia's greatest fear has been encirclement. Again and again it has been attacked by enemies on all flanks: by the Mongol hordes and the Teutonic knights, by Swedes and Turks, Poles and Lithuanians,

■ Russia, invaded repeatedly throughout its history, is terrified of being encircled again. That is why it objects to any eastward expansion of Nato

and, most devastatingly, by the Germans in two world wars this century. These memories have never faded. Stalin's brutal subjugation of Eastern Europe was as much to establish a *cordon sanitaire* against Germany as it was to spread imperial communism.

Two countries have been the focus of ancient animosities: Poland and Lithuania. Both once ruled great swathes of what is now Russian or Ukrainian territory. The Poles make much of their suffering at the hands of the Russians, but beneath the surface the feeling is mutual — expressed at its

crudest last week by Vladimir Zhirinovskiy, the chauvinist Liberal Democrat leader, who said he did not "care a damn" for Poland and would not help it against any German attempt to reconquer East Prussia. Similarly, the opposition to Soviet occupation was sharpest in Lithuania, the attempt to negotiate a compromise most fraught and the Soviet military clampdown most brutal.

Tough talk by President Walesa of Poland's need for Western protection against Russia has hit a raw nerve. The Russians believe Warsaw and Vilnius are trying to draw Nato again into an anti-Russian stance: the old nightmare of encirclement, only this time a little closer to their borders. Mr Zhirinovskiy, reflecting the extreme nationalist view, said yesterday that the inclusion in Nato of East

European countries could lead to the third world war.

The Russian military, especially the officer corps, is a product still of Soviet training and Soviet psychology. The senior officers have long been trained to think of Nato as the enemy. Given the collapse of morale and what many see as the humiliating withdrawal from Eastern Europe, any extension of Nato into areas where Soviet power once held sway is bound to be seen as a Western attempt to make political capital out of the Russians' present military weakness.

Mr Yeltsin could probably accept the Americans' Partnership for Peace if it was only a gradual strengthening of links with Nato. Russia, too, believes such confidence-building measures are important, as long as they are not exclusive.

## Clash of the heavyweights ends in laughter

BY MARTIN FLETCHER AND MICHAEL EVANS

Just what do world leaders chat about during those interminable photo sessions that seem to precede all their gatherings? At yesterday's Nato summit, President Clinton favoured sumo wrestlers as a topic of conversation, perhaps unfortunately declaring that Helmut Kohl, Germany's amply proportioned Chancellor, reminded him of one.

Mr Clinton is no President Bush. He has indulged in none of the personal diplomacy of his predecessor during his first year in office. Before yesterday, many of Nato's 15 other leaders were virtual strangers to him, so he used those pre-summit minutes to march purposefully around the conference table.

He introduced himself not just to his fellow leaders but to their aides. He admired a pipe on the desk of Carlo Azeglio Ciampi, Italy's Prime Minister, and said he used to smoke one. He told David Oddsson, Iceland's Prime

Minister, how he used to take cheap flights home through Reykjavik while studying at Oxford. He had a remarkably jovial reunion with John Major, to whom he remarked that he had watched a sumo wrestling match on television the previous night because he had been unable to sleep.

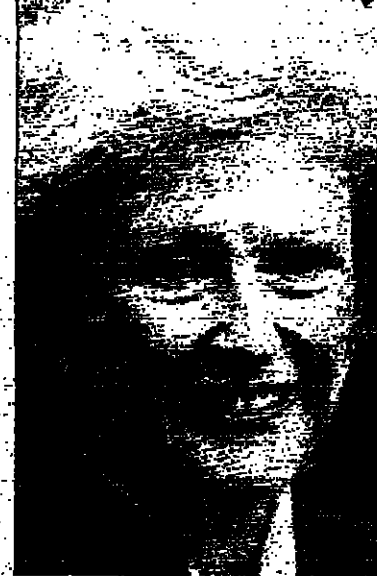
Alas, one of the President's next encounters was with Herr Kohl, probably the only man in the room whose appetite exceeds his own. "I was thinking of you last night because I was watching sumo wrestling..." Mr Clinton began before quickly explaining: "You and I are the biggest people here and we're still 100lb too light." Fortunately, the Chancellor roared with laughter.

This summit is also, of course, Mr Clinton's first opportunity to introduce himself to the people of Europe. As Pamela Harriman, America's British-born ambassador to Paris, remarked: "The Europeans don't know him. Too

many of them see him as a man who plays the saxophone by night and wears running shoes by day."

On Sunday night Mr Clinton did his best to rectify that. After his speech on US-European relations, he plunged into the crowds waiting outside in the Grand Place and later marched into an unassuming little café named Au Vieux Saint Martin, where he drank coffee with the astonished locals.

Thereafter, however, Mrs Harriman's stereotype reasserted itself. Back at his hotel, Mr Clinton was presented with a saxophone by the mayor of Dinant, the Belgian birthplace of Adolphe Sax, the instrument's 19th-century inventor. "I have the honour to give to the President of the USA an instrument of sax," the mayor declared, eliciting guffaws from those aware of Mr Clinton's other alleged interests. And sure enough, at 6.30am yesterday, the President was out jogging in the dark.



Harriman says Europe has false image of the President

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top post  
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Arms-to-Ira  
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## Zhirinovsky lobby poised to undermine Duma reform programme

## Yeltsin disposes of top posts to bring deputies into line

FROM ANNE McELVOY IN MOSCOW

PRESIDENT Yeltsin moved to strengthen his control over his untested and quarrelsome government yesterday, cutting the number of deputy prime ministers from nine to four on the eve of the opening of the new parliament.

Mr Yeltsin was fulfilling a promise to reduce the top-heavy Cabinet after the poor showing in last month's elections of Russia's Choice, the party featuring senior government ministers and defending its policies.

Viktor Chernomyrdin, the moderate prime minister, is to name the four deputy prime ministers — effectively the top Cabinet jobs — within a week, a decision that will be seen as a key indicator as to the fate of radical reforms and the government pecking order.

In a symbol both fitting and disconcerting for the future of the new Russian parliament, the man who will declare the

Duma open today in the unlovely surroundings of the former Cosmos building is Georgi Lukava, a former communist military tactician who has cast his lot with Vladimir Zhirinovsky's Liberal Democratic Party.

At 69, Mr Lukava, a professor at Moscow's Civil Aviation Institute, is the oldest member of the Duma, the lower chamber of the bicameral parliament, a status that earns him the honour of making the opening speech. The upper chamber, or Federation Council, made up mainly of regional representatives, will convene at a separate location. The geographical division of the two chambers was demanded by Mr Yeltsin after the imposing White House was badly damaged when it became the seat of parliament's violent revolt.

Although the Liberal Democrats control only one-seventh

of the Duma seats, the parliament has a strong overall anti-reform contingent which was boosted by the confident showing of the communists and hardline agrarians in last month's elections. As a result, the anti-reform lobby is in a position to confound Mr Yeltsin if it decides he is exceeding his powers.

Whether the new legislature is to prove any more workable than the old one Mr Yeltsin destroyed by force depends largely on what Mr Zhirinovsky chooses to do now that he has a platform in parliament and how the government presents its future course.

The main struggle for influence at the heart of government is between Yegor Gaidar, the economics minister who was the architect of the reorganisation programme and head of Russia's Choice, and Boris Fyodorov, the finance minister, who is anxious to snatch his mantle as chief radical.

Mr Gaidar appears to have retained Mr Yeltsin's support despite his lacklustre performance in the election campaign, but the days when he and Mr Yeltsin spoke as one seem to be over and Mr Gaidar's radical approach is likely to constitute one wing of the future government rather than the heart of it. Yesterday Mr Gaidar called for Mr Zhirinovsky to be prosecuted for disseminating "war propaganda". However, other democrats, including Mr Yeltsin, are unwilling to turn the Liberal Democrats into "martyrs".

The fate of Sergei Shakhrai, the senior radical who founded his own party and is accused of helping to split the democratic vote, is uncertain and Aleksandr Shokin, the debt negotiator and ally of Mr Shakhrai, is also regarded as vulnerable.

Yesterday's decree appeared to be aimed at undermining Mr Yeltsin's authority and as a tacit warning to the legislature not to meddle in government.

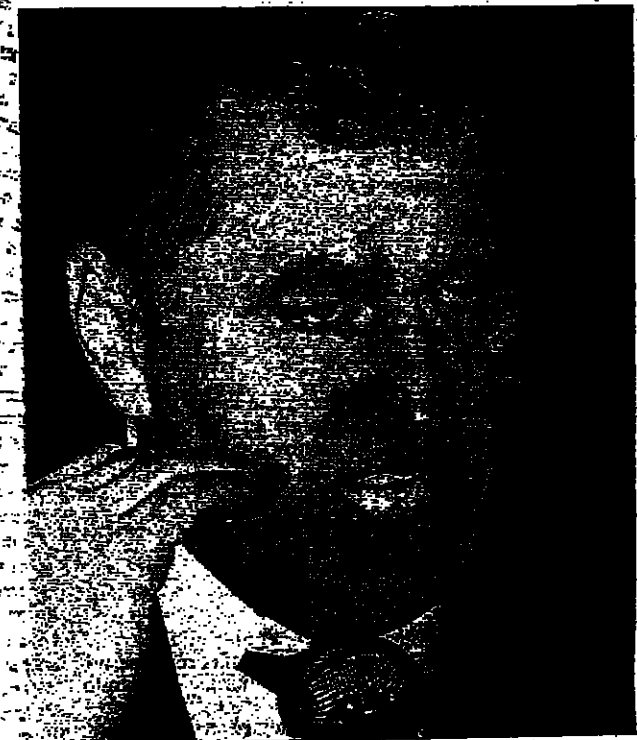


Members of the new Russian parliament chatting yesterday after receiving their accreditation as deputies at the congress hall in Moscow. The Duma opens today

The move confirmed that the main ministries and departments were under direct presidential control, including defence, interior and foreign affairs and asserted the Russian leader's control over committees on espionage, counter-espionage and information, which have been downgraded from ministry status.

Mr Yeltsin has prepared for a difficult parliament by using the legislative lacuna of the past three months to pass a welter of decrees that have the status of laws. Once parliament has convened, he will be obliged to submit many decrees to the legislature.

Mr Lenin attacked: President Yeltsin's aides told communists yesterday that Vladimir Lenin and Josef Stalin were "dots of blood and dirt". Aleksandr Yakovlev, once a top aide to Mikhail Gorbachev, the former President, said that the two former leaders, "who are composed of dots of blood and dirt" had been responsible for millions of deaths. (Reuter)



Vladimir Zhirinovsky addressing Liberal Democrat deputies, who hold one-seventh of the Duma seats

## Arms-to-Iraq case renews dispute over Bonn's tough export rules

FROM ROGER BOYES IN BONN

A DEBATE about Bonn's tight arms exporting rules has erupted in Germany as the result of a court case implicating a British company in a back-door attempt to sell guns in the Middle East.

The court hearings, to resume this week in Rottweil, southern Germany, have disturbed Germans who prided themselves on banning arms exports to "areas of tension" or war zones.

The prosecution accuses Walter Lamp, managing director of Heckler and Koch, of authorising the export of machineguns to the United Arab Emirates in 1987 via the leading British arms manufacturer, Royal Ordnance. When the arms shipment was impounded by Italian police in Genoa more than six years ago, Iraqi naval officers were discovered on the ship, raising the suspicion that the real destination was Iraq.

Herr Lamp denies the

charges. Moreover, his lawyer, Siegfried Kauder, said yesterday he was determined to have the proceedings interrupted because Herr Lamp could no longer be guaranteed a fair trial. "British press reports have introduced an extraneous element by falsely claiming that Heckler and Koch also exported arms to Bosnia and Serbia."

The political pressure to change the strict 1982 arms export rules, which have led to many German companies to search for roundabout ways of selling their weaponry, is mounting. Friedrich Bohl, senior aide to Helmut Kohl, the Chancellor, said yesterday it was time that Germany relaxed its rules to bring them into line with European Union

standards. It was "entirely unrealistic" to force the rest of the European Union to make their export rules tougher. Germany "has to reach a reasonable compromise in line with our moral standards and international obligations", said Dr Bohl.

Volker Rühe, the Defence Minister and German defence industrialists have been lobbying hard for such a change. The number of jobs in the defence industry has dropped by almost 50 per cent over the past four years. According to the federation of German industry, German arms factories will reach barely 15 per cent of their 1989 manufacturing capacity by next year. The Defence Ministry has cut its procurement

budget by 40 per cent since 1990; the only hope is to boost exports. The current rules allow all German arms exports to Nato partners. But non-Nato customers can be considered only if there is "domestic stability" in their countries, if the arms do not "contribute to an escalation of tension", and if they are used solely for national defence.

All sales of weapon components to a list of 33 "sensitive countries", including China, Cuba, Vietnam and most of the Middle East, need explicit government permission.

Behind the scenes in Bonn there is friction between the defence and foreign ministries over reducing the number of sensitive countries. Dr Rühe wants to drop Israel and Egypt from the list while other politicians want to release Taiwan from restrictions. Klaus Kinkel, the Foreign Minister, however, insists that the moral standing of Germany is more important than new arms industry orders.

## Fuming French defy taxing rise

FROM CHARLES BREMNER IN PARIS

French smokers were forced to dig deeper into their pockets yesterday as cigarette prices were raised by 13 per cent in the second phase of a shaky campaign to wean the country from its love affair with the weed and impose a politically correct disdain for nicotine.

Tobacco kiosks and counters reported normal business while smokers grumbled about the blow to their liberty that brought the cost of 20 Gauloises to £1.20 (against £2.50 in Britain). The rise comes after a 20 per cent leap last year.

Experts say the relatively high price will deter beginners and the less addicted and they are hailing a 4 per cent drop in consumption in the past two years, but the evidence suggests France is still far from espousing American and Northern European views of smoking as an act of social deviance. The attempt, for example, to banish smokers to special sections in eating establishments has failed to rob the cafes and restaurants of their evocative cloud of fumes. Proprietors have simply reversed the intent of the



Montand: languid role model for a new generation of posers

law, exiling customers who insist on non-smoking seats, usually foreigners, to the "Siberia" of bad tables.

The authorities acknowledge that only a handful of citizens have been fined for breaking the ban on smoking in public places. The only prosecution to attract publicity was that of a cigarette-loving Bordeaux cafe owner who was sued by a customer last month

for refusing to provide him with a smoke-free table. About half the crowds around any high school or college consist of cigarette-wielding youths striking languid Yves Montand poses or imitating Vanessa Paradis, the Lolita-like pop star.

Advertisers have got around their ban by promoting products and sporting activities. The rules about what may be shown are strict, however. A Paris court yesterday ordered Citroën to pay 15 million francs (£170,000) in fines for painting its cars in rallies with the colours and logo of Camel cigarettes, giving visible advertising on television to the tobacco company.

The latest anecdotal evidence of the continuing attraction for cigarette comes from the cinema. The top new production for the Paris chattering classes is *Smoking and No Smoking*, two separate films on the quirks of fate by Alain Resnais. Both start with similar opening scenes in which the heroine, played by Sabine Azema, is offered a cigarette. In one, she accepts; in the other, she refuses. For reasons being scanned by sociologists, the public is flocking to *Smoking*, and shunning *No Smoking*.

## Editor, 83 to launch new paper in Italy

FROM JOHN PHILLIPS IN ROME

INDRO Montanelli, 83, the sprightly dean of Italian journalism, resigned as editor-in-chief of Milan's campaigning *Il Giornale* yesterday and announced that he is to found a new daily to go on sale before Italy's general election.

Signor Montanelli made public his decision after a stormy lunch with Silvio Berlusconi, the conservative newspaper's proprietor, at which Signor Montanelli made clear that he would not allow Signor Berlusconi to use the newspaper to further his ambition to found a political party to stop Italy's former Communists from winning the election. "He does not have the courage to fire me," Signor Montanelli said afterwards.

Signor Montanelli is an influential, maverick right-winger who was shot in the knees by left-wing Red Brigades terrorists. Many of his staff at *Il Giornale*, which he founded, are expected to join him at his proposed new paper, tentatively titled *La Voce* (The Voice).

In spite of his rift with Signor Berlusconi, the veteran editor retained his sense of humour, remarking that the food at his valedictory lunch with the proprietor, at the latter's executive dining room in his Milan headquarters, was *malissimo* (very bad indeed).

The departure of Signor Montanelli is a blow to the prestige of the media mogul, who has made no secret of his ambition to become Prime Minister in the general election that President Scalfaro is expected to call after a motion of no confidence in Carlo Azeglio Ciampi's government is debated in parliament later this week.

Critics of Signor Montanelli have accused him of sympathy with Italy's banned masonic lodge, the Propaganda Due (Propaganda Two), which was dissolved in 1981 after it was found to have recruited hundreds of Italian people plotting to overthrow Italian democracy.

## NEWS IN BRIEF

## Pope backs Christian Democrats

Rome: The Pope evidently sought to rally support for the rump of the Italian Christian Democrat party yesterday, reminding the faithful that Roman Catholic political leaders had saved Italy from communism. John Phillips writes.

The pontiff is clearly concerned at the prospect of a likely victory for an alliance sponsored by the former communist Democratic Party of the Left in Italy's forthcoming general election.

## Ruiz mediates

San Cristóbal de las Casas: Mgr Samuel Ruiz, Catholic bishop of San Cristóbal, has agreed to a rebel request to mediate in talks to end the peasant uprising that has left more than 100 dead in the Chiapas province of southern Mexico. (Reuter)

## Foreign grave

Moscow: Zviad Gamsakhurdia, former president of Georgia, who committed suicide last week when trapped by Georgian government forces, is to be buried in the break-away southern Russian republic of Chechnya and not in the family grave in Georgia.

## Warrant issued

Beirut: An arrest warrant has been issued here against Yasser al-Shraydi, a Palestinian wanted in Germany over alleged links to the 1986 bombing of a Berlin nightclub that led to the American air raid on Libya. He is in a Sidon jail on murder charges. (Reuter)

## Tourists killed

Jakarta: Ten French tourists died, and at least 17 passengers from France, Belgium and Switzerland were badly injured, on the Indonesian island of Bali when their bus slipped down a ravine near Kinamanai, 30 miles from the capital Denpasar. (Reuter)

## Ghost town

Bratislava: Bojnica, a village in western Slovakia with a haunted castle, is to host the first international ghost festival on April 30. The event is intended to draw occultists, tourists — and ghosts — from all over the world. (Reuter)

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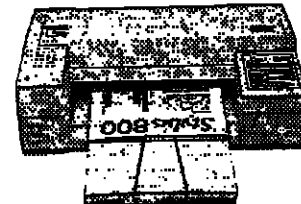
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Aileen Ballantyne reports on the hopes raised by a promising new drug for very premature babies

# Babies who cling to life



Tiny three-week-old Charles had a slim chance of survival

Charles Jaynes, who celebrated his first birthday last Wednesday, is as curious and active as any other child of his age, and is the picture of health. Yet when he was born he weighed only 1lb 13oz, and could almost fit inside his father's hand. Doctors put his chances of survival at only 5 per cent.

Charles — born when his mother was just 24 weeks pregnant, the present upper legal limit for abortion — was a medical prediction made about the so-called "bag of sugar" babies like him, born long before their time and weighing in at less than 2lb. A normal pregnancy lasts 40 weeks, which means Charles arrived a full 16 weeks before nature intended. The dice were firmly stacked against him from the beginning. He was male, very premature, and a twin — all factors which, statistically, meant his chances were extremely slim. His twin brother, Stuart, who weighed 1lb 5oz at birth, died when he was three days old.

But Charles continued to fight for life, despite the fact that, like most babies born more than eight weeks prematurely, he had no effective immune system of his own. The mother's antibodies, which provide a newborn baby with some immunity from infection, do not cross the placenta from mother to baby until she is about 32 weeks pregnant. Although extremely effective antibiotic therapy is now available in neonatal units, and there have been enormous

recent advances in the effective ventilation and nutrition of premature babies, many still die or develop severe complications, simply because they are born too early to have sufficient numbers of the white cells which allow us to fight off infection. Something that is harmless for the average person, such as the bacterium *Staphylococcus epidermidis*, which lives on all our skins, can cause severe problems for a premature baby, including lung infections and blood poisoning.

Dr. Alison Bedford-Russell, research fellow in paediatrics at St George's Hospital Medical School, London, where Charles was born, says infections caused by an immature immune system remain a leading cause of death in premature babies. As a result, she has just led the first British pilot study — involving Charles and eight other babies, all of whom had a 50 per cent or lower chance of surviving — of a new drug which could combat the problem.

The drug, Human Granulocyte Colony Stimulating Factor (G-CSF), is a genetically engineered version of a naturally occurring substance which, in very young babies, appears not to function correctly. G-CSF works by stimulating the bone marrow to produce mature white cells, and has already helped thousands of adults and several hundred children with cancer to recover their white cell count more quickly after chemotherapy.

Of the nine babies who received

the drug on the St George's study — funded by a £50,000 two-year grant from Action Research, the medical research charity — five, including Charles, are still alive. "Charles had been desperately sick," Dr Bedford-Russell says. "He had almost no white cells at all and, as a result, he quickly developed sepsis [blood poisoning]. In addition one of his lungs had collapsed. He was given one injection of G-CSF a day for three days, and his white cells began to increase in number. As they increased, he went from strength to strength."

But she points out that a trial in which a new drug is given to all babies is useful only as a preliminary measure. "The early results look extremely promising, but that does not prove that it is the drug which is responsible for the improvement," she says.

To answer that question, in the

next few months, St George's Hospital Medical School and King's College Hospital in London, with other leading neonatal centres in Glasgow, Cardiff and Manchester, are to start clinical trials involving 200 very premature high-risk babies born weighing 2lb or less. The parents of such desperately ill babies will be asked if they will allow them to take part in the trial of the new drug. They will then have to be told that their baby may not be given this apparently promising new drug treatment, to allow comparison of the progress of those who have had the drug with those who have not.

Dr Bedford-Russell recognises that such an approach is not going to be easy. "You know the parents are already going through absolute hell, but you have to ask them if you can put their baby on a drug trial," she says. "It is understandable if some people feel this

amounts to using babies as guinea pigs, but all new treatments may have unknown long-term side effects, as well as potential benefits. It would be wrong to give a new treatment or drug to all babies just because it appears to work."

So far, neither Charles's mother, Gillian Jaynes, aged 40, from Bromley in Kent, nor his doctors can see anything to suggest that Charles has been adversely affected in any way. But Dr Colin Stern, consultant paediatrician at Guy's and St Thomas' Hospital Trust, points out that such full-scale trials, however difficult to perform, are essential. He says that at St Thomas' they have recently stopped using an analogous drug, erythropoietin, which stimulates red cell production, following three unexplained deaths of premature babies on the drug.

The difficulties of having to carry out such trials are just one of the problems facing doctors and parents in neonatal intensive care units.

Recently developed brain-scanning methods can tell doctors and parents at an early stage if a premature baby is likely to be very severely handicapped, and a decision is then taken jointly on whether or not to continue with the more aggressive forms of life-saving treatment, or simply to feed the baby and keep him comfortable. If doctors and parents decide not to continue to strive for life at all costs, the complex life-support lines and ventilators which have been sustaining the baby's life are removed, allowing the parents time to hold and get to know their baby before he or she dies.

None of the decisions that have to be made in neonatal units are easy ones, whether they are about

continuing to "pull out all the stops" to save a baby, or giving different treatments to equally ill babies to see which, in the long term, is going to save more lives. But the reason teaching hospitals such as St George's offer this high quality care for premature babies is that they carry out trials like this one — despite the difficulties. The result is constant improvements in the prospects for babies such as Charles. Mrs Jaynes is grateful that they do. "Charles is here today and he is well and happy. Whether that is because of G-CSF or not I can't answer. I had one baby — Charles — who was very ill, and another baby — Stuart — who was dying. When the doctors said 'we think we can possibly save this child' I would have said yes to anything. I lost Stuart, and I will never forget that I had twins. But I have one surviving child — and he is worth everything."



Gillian Jaynes and her son Charles, a picture of health just after his first birthday. "When the doctors said 'we think we can save him', I would have said yes to anything"

## Only believers get better

Ian Robertson finds that ancient folk medicine has lessons for today

Last week the Charities Commission strongly censured the Cancer Research Campaign and the Imperial Cancer Research Fund for allowing publication of a flawed research study which showed that breast cancer patients attending the Bristol Cancer Help Centre had a higher death rate than those receiving orthodox medical treatment. Although the Bristol patients did have a higher death rate, this was because their cancers were more advanced, a fact which the researchers did not take into account.

Unfortunately their finding received wide publicity after appearing in *The Lancet*, and it did serious damage to the complementary therapy approach for cancer in this country, highlighting the rift

between conventional and alternative medicine.

It is the constant gripe of practitioners of complementary medicine that the cold, clinical objectivity of conventional medicine sidesteps powerful therapeutic effects because it ignores the personal elements of faith and belief. Yet we know the mind can have immediate and powerful effects on the body. Told to imagine burns on the skin under hypnosis, some people have produced burn-like weals. Major surgery has been carried out without pain under both hypnosis and acupuncture. Victims of Haitian voodoo spells can literally be terrified to death. No matter what the religious, superstitious or therapeutic rationale given for such happenings, the common factor is one of belief



Reminder of the power of superstition: the Drombeg stone circle in County Cork

and suggestion. There must be faith in some rationale.

In parts of Ireland a form of ancient complementary medicine is still practised. It is called, quite simply, "the Cure". Recently I visited an elderly gentleman in County Sligo who was reputed to have the Cure for "heart fever" which — it transpired — referred to angina. He made no claims for being able to treat any other heart problem.

Although he did not want to be named, he was willing to demonstrate the ritual, which had to be repeated three times on each of three days. It involved filling a china cup with oatmeal, and circling the patient while pressing it on various parts of the back, side and chest, meanwhile incanting a prayer in Irish and Latin which had been handed down

with the Cure by an elderly aunt. The patient also had to say prayers.

I was told that one seeker of this Cure had been withdrawn from the waiting list for coronary artery bypass surgery, a claim I found plausible. After all, this old gentleman's ritual involved yoga-like, meditative and stress-reducing elements not too dissimilar to the best modern stress-management methods. And angina can be successfully treated by altering mental habits which affect the blood supply to the heart muscle.

Nor was he naïve about the source of this apparent healing: he told me that you had to believe you were going to be cured for it to work, and had to have faith in the person with the Cure. This seems to involve both healer and healed conspiring to believe in the harmless jargon of the ritual. The same could be said for much modern complementary medicine.

There are Cures for thrush, burns, migraines, sties, back problems, ringworm, whooping cough, jaundice, moles in the eye, skin cancers and shingles. Cures for central nervous system disorders and internal cancers are not available, so the claims made for the Cure are more circumspect and specific than is the case for some modern complementary practices. Some Cures are passed on, others accrue to a seventh son or daughter, and I

talked to a woman with the Cure for burns who had acquired it by licking a newt. She licks the burns of her clients to heal them.

The Cure is based on the tradition and folklore of curatives. The healers do not seek payment. Word of mouth is the only means of finding the Cure, and many people in the parts of the west of Ireland where it is still prevalent respect it while professing scepticism too. In such an informal way it is regulated in the community by a strong, unwritten ethic which forbids profit, self-publicity and extravagant claims.

It is hard to see how faith in the irrational can be handled in more formal, professional ways. How do you set up a professional body for a therapy which may well work because of these psychological processes, but whose basis is licking newts or pressing oatmeal into people's chests? The rationales underlying many modern complementary therapies are not much more sophisticated. This is why we have to find more credible and scientifically-based rationales for achieving the powerful psychological therapeutic effects of suggestion and belief, which at the moment are largely the province of mumbo jumbo and of superstition.

The author is senior scientist at the MRC Psychology Unit, Cambridge.

## Shots in the darkness

Women do not often shoot themselves — they choose less dramatic methods

IT IS rare for a woman to shoot herself. If the reports about Lady Caitness are true, she chose the least common method, for a woman, of ending her life. In 1991, 146 people used firearms or explosives to commit suicide, of whom 140 were men. In dying, as in living, men are more violent than women. They are four times as likely to take their own lives, and favour hanging and shooting, while women prefer an overdose.

Women are inhibited about damaging themselves. They tend to use methods that will leave their bodies unchanged. Men throw themselves off high buildings or under trains, reducing chances of intervention. "You can stop someone after the seventeenth tablet," says Dr Stubbs of the Samaritans, "but not after the seventeenth floor."

Women outnumber men in only one of the nine categories of suicide listed by the Office of Population Censuses and Surveys: suffocation by plastic bag. This method, associated with euthanasia, was used by 53 women and 46 men in 1991.

Choice of method is strongly influenced by availability. Shooting is most common among farmers and landowners with ready access to guns. Doctors, with their access to drugs, tend to choose poison.

The difference in the choice of method makes it difficult to compare suicide rates between the sexes. Putting a noose around your neck or a gun to your head is (nearly always) a deliberate act. Taking an overdose may not be. When in doubt, coroners will often record a verdict of accidental death, to spare relatives. Suicides among women are almost certainly higher than they seem.

More than eight of ten suicide attempts are by women. Self-poisoning (taking an overdose) accounts for one in ten of all admissions to hospital. Among 15 to 19-year-olds, one in 100 is admitted to hospital with an overdose every year.

Not all those who attempt suicide mean to kill themselves. About 25 people attempt suicide for every one who succeeds; among the young the figure rises to 100 to one. Some are appeals for help rather than serious attempts.

Virginia Bottomley, the Health Secretary, has committed herself to cutting the suicide rate. She chose to highlight the unfashionable topic in her speech to the Tory Party conference last October and included it among the Health of the Nation targets. As a former psychiatric nurse, she has a keen awareness of the pain that mental suffering can cause and the need for prompt treatment to prevent tragedy. Most people who die by suicide have given warning signals.

The Health of the Nation target, set in 1992, is a 15 per cent reduction in suicides by 2000. It may prove tougher to achieve than first thought. In the first year of the strategy, the rate rose by 0.9 per cent.

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## DEATH OF A LADY

John Major returns to troubles barely dreamt of

"Back-to-basics" began life as a tactical slogan: it then became, in quick succession, a useful gambit, a half-formed philosophy and an almost universal embarrassment. Without greater clarity, as we argued yesterday, it risked bringing still more harm to the Conservative Party and the Prime Minister. No-one then anticipated that it might bring tragedy too.

The death of Lady Calthorpe is a shocking loss for her family, a loss that commands our sincerest sympathy. But it also marks a miserable moment in a miserable national time. For the government to be blamed for political ineptitude is one thing; to be associated with such a suicide is another. In Westminster the clearest sound is of blame being passed from hand to hand, from politicians to press and back. Before ministers find some scarce unity around the condemnation of newspapers, they should consider their own share of blame.

It is through the carelessness of Cabinet opportunists and the weakness of the Prime Minister that the political climate has changed: and it has changed as suddenly for the worse as Mr Major hoped it might change for the better. Until last October, no politician found engaging in adultery would have been expected to resign his post unless there were exacerbating circumstances. John Profumo had to go both because he lied to Parliament and because there were security implications alleged as a result of his affair with Christine Keeler. Lord Parkinson thought that he would be able to keep his job until Sarah Keys told the world of his dalliances — how he had promised to leave his wife and marry her and then changed his mind. David Mellor's misdeed was not so much his relationship with Antonia de Sancha, but to allow a friend, who happened to have FLO family connections, to pay for his holiday.

Unlike some in America, Britons have tended not to take the view that if a man is

capable of breaking his marriage vows, he is likely to be just as untrustworthy in his dealings with the nation. Indeed when the Reverend George Austin, Archdeacon of York, expressed such a view about the Prince of Wales, most people thought it an absurd parallel. As Lord St John argues in his letter today, there is a distinction between the truth of moral values and their practice.

However much Tory activists might have wanted Baroness Thatcher to embark on a moral crusade, she never did so, at least in the field of personal sexual morality. If morals entered into politics under her aegis, they came under the heading of economics: citizens had a moral right to keep as much of their hard-earned money as possible and to bequeath it to their children. Governments had a corresponding duty to try to reduce taxes. But where sexual relations were concerned, she was remarkably tolerant of her ministers' peccadilloes.

So is John Major. But, by launching the "back-to-basics" campaign at last year's party conference, he laid a trap for himself and his party which would soon snap shut on its makers. His officials briefed the press before his speech that he wanted to roll back the permissive society. He called for a return to "old values", which in that context was interpreted to include the moral codes of the 1950s, before the sexual revolution was born. If that interpretation was wrong, it was not quickly enough said to be so.

The apparent attempt to return Britain to the "old certainties" of the 1950s has led directly to the dreadful events of the past two weeks. Although it takes two to make a misunderstanding, it is for politicians alone to choose the extent to which they pronounce on sexual morality. When ministers preach one creed and practise another, newspapers have a clear duty to expose the hypocrisy. The resulting alarms and panics were never dreamt of by the tacticians of 10 Downing Street. And the end is not yet even near.

## TIME TO CLARIFY

Sinn Féin's procrastination should be tolerated no longer

Albert Reynolds's speech in Dublin on the Anglo-Irish declaration last night did nothing to allay the fears which he has provoked since his joint statement with John Major. In the past fortnight, the initial momentum achieved by the peace process has dissipated, allowing the initiative to pass by default to Sinn Féin. Mr Reynolds should have used this opportunity to disabuse the IRA of its apparent belief that the declaration is still negotiable. By promising "continuing clarification" — precisely what Sinn Féin has asked for — he has encouraged the opposite impression.

Mr Reynolds's own agenda is clear. In his two years as Taoiseach, he has struggled to forge a new image for the Republic of Ireland as a modern technocratic state at the heart of Europe. Though his government remains officially nationalist, Mr Reynolds and his Labour deputy, Dick Spring, have acknowledged that peace in Ulster is far more important to the Republic's economic and social prospects than the historic goal of reunification.

But the Taoiseach's prescriptions for peace remain far too vague and thus — in this volatile context — of dubious value. Last night's speech included overtures to Unionists and to Loyalist paramilitary groups; it reassured the rights of the majority in the North to determine the future of the province. Much of the address was devoted to comforting platitudes: notably the vacuous promise of an Ireland that will blend "the best in the political traditions of Republican separatism, of constitutional nationalism, and of Unionism".

Yet by far the most significant aspect of this speech was the Taoiseach's use of the loaded word "demilitarisation", which in the IRA's lexicon clearly denotes the withdrawal

of British troops. It is difficult to see what else Mr Reynolds can have meant when he spoke of a "mutual process of demilitarisation" and warned that only "demilitarisation... on all sides will bring about an end to coercion". He also repeated his ill-advised call for the British and Irish governments to act as "persuaders" in the search for an agreement, drawing again upon Republican vocabulary. His disregard for those who have balked at the use of such words could scarcely be clearer.

As a matter of honour, it is wrong of Mr Reynolds to hint that the terms of the declaration are fluid. As a matter of sense, it is wrong of him to think that such olive branches will entice the terrorists to the table. In fact, the likelihood that Sinn Féin will renounce violence, and join the peace process is diminishing daily. Last week, Martin McGuinness, one of the party's leaders, said that the withdrawal of British troops was a precondition of peace, rather than a possible outcome. On Sunday, Gerry Adams, Sinn Féin's president, said that the Unionist veto — the backbone of the last month's declaration — was completely unacceptable to his movement.

This devious hardening of Sinn Féin's position bodes ill for the peace process. It undermines the claim that the IRA is an organisation on its last legs; battle-weary, and thus worth wooing into the constitutional fold. On the contrary, the vacillation of Republican political leaders since the declaration has merely betrayed their reluctance to abandon the familiar "ballot and bullet" strategy. If the peace process is to survive, Sinn Féin must state its position on the declaration explicitly. Until then, it will have no right to the "clarification" promised it by Mr Reynolds.

## THE POWER AND THE DUTY

The ANC must be careful with its muscle

The African National Congress (ANC) has been predicted to reap a two-thirds majority in the elections to the new parliament, to be held in April. Since this accords with the country's demography it should be no surprise. But, as the defection last week to the National Party (NP) of three members of Umkhonto we Sizwe, the ANC's military wing shows, many South Africans are in a state of personal and communal redefinition; old political loyalties are constantly opening to fresh evaluation.

It would be easy to draw pessimistic conclusions from this latest poll, conducted by the neutral Institute for Multi-Party Democracy. When acting as constituent assembly, the new parliament will take decisions by two-thirds majority; for ordinary legislation, a simple majority will suffice. In cabinet, there is no specific protection for the interests of minority parties. The majority party, could impose its will on the others.

There is no compelling reason, however, to embrace this reading. The government, according to the interim constitution, is to be one of "national unity". In theory, its guiding principle is conciliation, not confrontation. The notion, in the modern South African manner, was born more of pragmatism than magnanimity: it is only through such a government that the confidence of the white civil service and military command can be

retained. The ANC would be unlikely to seek to gamble away the support of that critical sector.

The poll, while boosting the morale of the ANC and its supporters, will send out warning signals to other South Africans — whites, coloureds, Indians and Zulus. It would be tactically shrewd if the ANC were, at this point, to reiterate its commitment to national unity. If it does win the elections in the manner forecast, it will face two related tasks: reining in the expectations of radicals within the party and impoverished ordinary voters; and allaying the fears of minorities. It must resist populist economic measures. These would only damage the climate for investment and growth, leading, perhaps to an exodus of skilled citizens. Nelson Mandela must be tough with his radicals and frank with his voters. The next elections are not until 1999, and he will have five years to win them around.

President de Klerk, who will in time have to adjust to being merely leader of the NP and second deputy president, might also extract some advantage from the findings of the poll. It is becoming increasingly clear that his is the party of South Africa's minorities, ironically including the Coloureds and Indians. They might be urged to throw their weight fully behind the NP. Whites, too, might see the folly of wasting their support on the far right.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

### Back to basics: ministerial morality and the Government's dilemma

From Lord St John of Fawsley

Sir, Three cheers for Lord Roes-Mogg. Until the appearance of his perceptive and insightful article in today's *Times* on the Prime Minister's Sunday broadcast I could only echo Macaulay's dictum in his essay on Byron: "We know of no spectacle so ridiculous as the British public in one of its periodical fits of morality."

To find a way through the moral maze one has to be guided by at least two signposts. The first, pointed to by the Prime Minister on Sunday, is that morality and sexual morality are not the same thing, a point which British colloquial discourse tends to confuse.

Moral values in the broadest sense must form the basis of political thought and action. The whole purpose of politics is to create a framework within which citizens can be enabled to lead the good life rather than the bad following certain moral values. These values can certainly be ascertained.

Members of every society hold certain ideas in common concerning, for example, the State, education, religion, the possession of which constitutes the life of that society and their loss its dissolution and death. The people, whose detective instinct in these matters is often so much sharper than that of their leaders, have sensed the nature of the moral and ethical crisis in which we are involved and in which all objective values are being abandoned in favour of subjective choices.

This is the chaos which is threatening the future of so many of our institutions, from the monarchy through the Church to Parliament itself. A political party is fully entitled — indeed it has the duty — to take account of these fears. If the Conservative Party chooses to take the initiative good luck to them but, as has been seen, the ground is full of pitfalls.

The second signpost which must be kept in view is the distinction between the truth of moral values and their practice. Failure in the second in no way invalidates the first.

The place to deal with those who have fallen is not in the columns of newspapers, tabloid or otherwise, but in the confessional. Even there, only a provisional judgment can be made. Yet, if leaders in public life take a high ethical stance they are opening themselves to be judged rigorously by the very standards they proclaim.

This is a risk worth taking. The Prime Minister has done the nation a great service in reminding us all that a free society is more than a mechanism, more than an experiment: it con-

stitutes nothing less than a spiritual and moral enterprise. He has gone to the heart of the matter and so made a signal contribution to the renewal of the moral consensus of the nation on which our political institutions and freedoms rest.

Yours faithfully,  
ST JOHN OF FAWSLEY,  
House of Lords,  
January 10.

From Mr George Eccles

Sir, The key problem with recent events is not simply that ministers are being hounded from office out of sheer hubbub, although this is the case. It is that the best person for the job is being disqualified from the role for irrelevant reasons, and we, the public, are much poorer as a result.

The most obvious example of this is probably David Mellor, whose credentials for arts minister were impeccable, but there are other, more recent examples. Let us hope that we can learn to apply the same moral standards to politicians as we currently apply only to our captains of industry and commerce (who are rarely, if ever, forced to resign for similar behaviour), but also to ourselves.

Yours faithfully,  
GEORGE ECCLES,  
40 Maresfield Gardens,  
Morpeth, Northumberland, NE61 1JY,  
January 9.

From Dr Keith Hampson, MP for Leeds North West (Conservative)

Sir, "Back to basics" has proved a useful slogan in that it reflects the gut feeling of ordinary men and women that there has been for decades a lack of common sense on a wide range of policies. It cannot surely be interpreted in the terms used by Edward Leigh in his column on January 7 ("Majorism is not enough").

There was a glaring omission in his list of basic Conservative principles. Where is the caring and compassionate tradition of the party that has run from Shaftesbury to Disraeli, Churchill and Macmillan? It badly needs re-emphasising today. We are failing to acknowledge sufficiently what Winston Churchill called "the cruel abyss of poverty" and its causes.

As the American Republican Party discovered to its cost, an increasingly moralistic stance and an apparent lack of sympathy on social issues such as unemployment and housing might appeal to the party faithful but not to the bulk of today's electorate.

As Disraeli argued in 1872, when

urging his party to have regard to "the condition of the people", successful government must have regard to the temper of the times.

Rhetoric at the party conference directed against single-parent families not only was insulting to the many Conservative workers who have struggled to create a caring home for their children following divorce or the death of their spouse, but seemed a rather unpalatable emphasis to the public at large. Governments which argue that the role of the State should be reduced should be wary of intruding on personal morality.

If people perceive extremism, they will reject it, as they rejected socialism in the 1970s. What they are looking for today is sound, even hard-headed, economic management, coupled with generous social instincts.

Yours faithfully,  
KEITH HAMPSON,  
House of Commons,  
January 10.

From Mr David Procter

Sir, In his article of January 8, "Will they nationalise families?", Simon Jenkins writes of the Conservative Party during the Yeo affair: "It covers before the tabloid press." Tabloids and broadsheets alike have contributed to the clamour that has led to the reluctant resignations of Cecil Parkinson, David Mellor and Tim Yeo.

Although the British press is generally believed to be sympathetic to the Conservatives, when Paddy Ashdown's adultery was revealed as the result of a burglary, the air was thick with forgiveness, understanding and sympathy. It was as though, because of the method of discovery, poor Mr Ashdown himself were the wronged party. Nobody seems to object to the fact that, as leader of the Liberals, he aspires to the office of prime minister.

All four men have admitted adultery, and all have expressed remorse. Is there an unwritten statute of limitation on adultery? Or is it that an unsporting means of discovery is deemed to atone for the initial sin?

Yours faithfully,  
DAVID PROCTER,  
36 London Road,  
Marlborough, Wiltshire,  
January 8.

From the Suffragan Bishop of Repton

Sir, While none of us will want to number among "the baying self-righteous" condemned by Mrs Pamela Walters or to display "the arrogance of condemnation" deplored by the Reverend Richard Thomas (letters, January 6),

their proffered alternatives — "tolerance and forgiveness" (Mrs Walters) and "the humility of loving forgiveness" (Mr Thomas) — will appear feeble to many, in the face of human wrong-doing. Neither makes any mention of the moral demands of the righteousness and justice of God.

A more adequate presentation of Christian forgiveness will emphasise that Jesus Christ alone was qualified to meet the moral demands of God's righteousness and justice: that He did this on our behalf when He sacrificed Himself for our sins on the Cross; and that the proper response of the believer to this amazing grace is repentance and faith.

Such an emphasis will, I hope, prevent the humanitarian views of some of your readers from being simply dismissed as "liberal" or worse.

Yours faithfully,  
HENRY REPTON,  
Repton House,  
Lea, Matlock, Derbyshire,  
January 10.

From Miss D. Jane Horsfall

Sir, The Reverend Richard Thomas writes of "judgmental moralising" and "the arrogance of condemnation".

It is clear that many of those who called upon Mr Yeo to resign did so with deep sadness — not because they thought him a worse man than they but because they believed him to have put himself, his party and his Government in a false position.

Such a view is no doubt open to criticism; but it is to be hoped that Mr Thomas is too charitable a man to deny the sincerity of those who hold it, or to lay his terrible charges at their door.

Of course Mr Yeo needs to be treated with "the humility of loving forgiveness" — a matter, in the first place at least, for his immediate family; but should a compassionate understanding be extended to those, however imperfect, who have felt duty-bound to criticise his conduct.

Yours faithfully,  
D. JANE HORSFALL,  
103 Langham Road,  
Blackburn, Lancashire,  
January 6.

From Mr Simon E. Rice

Sir, Basically, I find it depressing that our Prime Minister wants to go backwards, not forwards.

Yours faithfully,  
SIMON E. RICE,  
20a Avonwick Road,  
Hounslow, Middlesex,  
January 7.

### Floods in the South

From Mr Tony Wood

Sir, "Rain-swept Kent is still on drought alert", you report (January 5). What sterling stuff to read, and I hope to read much more in *The Times* about the growing menace to the public from the companies and "authorities" of the recently constituted water and river administration for England is now washed the land lies like a sponge. And to read the statements by Mr Graham Warren, area resources manager of the National Rivers Authority in Kent, one is led to disbelief and despair.

The five-year drought which blighted the United Kingdom so recently is a meteorological phenomenon that has existed throughout the ages, and will happen again.

The shortage of water was the result of no such phenomenon, but of the gross mismanagement of the water supplies by both the NRA and the "private" water companies. And Joe Public paid up.

Although we are about to flood down here in Somerset, I expect a garden-hose ban at any moment!

Yours sincerely,  
TONY WOOD,  
Adcombe House, Over Stowey,  
Bridgwater, Somerset,  
January 5.

### Working for youth

From Sir Harold Haywood

Sir, As a great admirer of the voluntary work of Lady Editor of *Harwood* whose excellent obituary you published (January 4), I am particularly aware of the contribution she made to young people during and immediately after the Second World War as chairman of the organisation now known as Youth Clubs UK.

Her pioneering energy led the Girls Clubs Association to adopt a policy of providing leisure-time activities for boys and girls, and many of the achievements of the British youth clubs are due to her vision and enterprise.

Many who grew up during and immediately after the war will wish to pay a tribute to her flair, energy and good humour, and her ability to make things happen.

Yours faithfully,  
HAROLD HAYWOOD  
(Pastor, Youth Clubs UK 80th anniversary, 1991),  
Youth Clubs UK,  
11 St Bride Street, EC4A 3DF,  
January 4.

In yesterday's letter from Mr John Bryant, the beginning of the second paragraph should have read:

The League against Cruel Sports has asked some farmers and landowners to make civil action against hunts which enter land against the owners' wishes...

### Lawyers' concern on right to silence

From the President of the Law Society and the Chairman of the Bar Council

Sir, We are deeply concerned at the proposed changes to the right to silence contained in the Criminal Justice and Public Order Bill which has its second reading in the House of Commons on January 11. Everyone is anxious about the level of crime, but the suggested advantages of these changes are illusory.

The majority of the Royal Commission on Criminal Justice, with the benefit of extensive research, advised against change (reports, July 6 and 7, 1993), believing that "the possibility of an increase in the convictions of the guilty is outweighed by the risk that the extra pressure on suspects to talk in the police station and the adverse inferences invited if they do not, may result in the convictions of the innocent" (chapter 4, para 22).

The royal commission was established following a string of disturbing

miscarriages of justice in which confessions which were subsequently found to be unreliable played a major part. This rocked confidence in our criminal justice system.

Police officers should not be tempted to rely upon failure to answer questions (or for that matter upon untested, and possibly unreliable, confessions) as a substitute for searching for incriminating corroborative evidence.

The Bar Council and the Law Society believe that the right to silence must be preserved. The Government's proposals would undermine the presumption of innocence which is at the heart of our criminal justice system.

Yours faithfully,  
RODGER PANNONE,  
President,  
The Law Society,  
ROBERT SEABROOK,  
Chairman,  
The General Council of the Bar,  
3 Bedford Row, WC1,  
January 10.

### Independent courts

From Mr John Anwood, JP

Sir, With the proposals contained in the Criminal Justice and Public Order Bill about to be debated, all magistrates must now appreciate that no matter how well they may think the magistrates' courts committee system operates, in future it is going to be necessary to be able to demonstrate that this is, in fact, the case.

Bearing in mind the already substantial and ever-increasing costs of running magistrates' courts, it is wholly appropriate that the committees be required to render a proper account of their stewardship to their colleagues who elected them and, equally, to Parliament, which pro-

vides the required resources. The criteria by which performance is to be assessed ought to be clearly laid down both at local level and by comparison to the service as a whole.

Every magistrate will wish that the operation of the service will in future reflect the very best of modern management practice. This aim is achievable, bearing in mind that the service has employees with not only appropriate legal but first-class management qualifications, and to whom the implementation of the new proposals will not pose any problems.

Yours faithfully,  
J. ANWOOD,  
32 Wheatlands Park,  
Redcar, Cleveland,  
January 3.

### Acts of terrorism

From Mr S. D. W. Shepherd

Sir, The Government's response to terrorism in mainland Britain has created an insurance system whereby the small property owner, and his tenants, must subsidise the large companies and institutional owners. To insure with Pool Re (to which there is no alternative) against damage which results from acts of terrorism, one must insure all properties that are owned.

Premium rates obviously vary between areas where the risk is perceived to vary. However, the Government, which controls Pool Re, denies the absolute right to decide which commercial properties one will insure and for which one may carry one's own risk.

In effect, if a property owner has

only one property situated in an area he regards to be at risk, he must still insure all his other properties. This is a cost which will typically then fall on the tenants, under full insuring and repairing leases, thus further increasing the cost of running business.

Conversely, owners of a number of properties in areas of greater risk are having their premiums reduced, because of the contributions from the small owners who may only have one property perceived to be at risk.

I wonder if this system has been allowed to develop because insurance companies, who contribute to running Pool Re, are also owners of many of the properties which may be regarded to be more at risk.

Yours faithfully,  
S. D. W. SHEPHERD,  
The Rookery,  
Orcheston, Wiltshire.

### Language 'torture'

From the Director General of the Inland Revenue

Sir, Mr David Gordon (letter, January 3) accuses the Inland Revenue of "torturing" the language by referring to him and his clients as "customers" because, he says, they have no choice over whether to deal with us.

We use the word "customer" for two reasons. First, we hope it conveys to taxpayers that they have all the rights to courtesy, efficiency and satisfaction that they expect in their other business and personal dealings.

Second, it reminds all of us in the Revenue that, although we may be a monopoly, we have a clear obligation to provide the best possible customer service to the public. I hope Mr Gordon and his clients have already noticed an improvement in our service. We are planning to do even better.

Yours faithfully,  
CLIVE CORLETT,  
Director General,  
Inland Revenue,  
The Board Room,  
Somerset House,  
Strand, WC2,  
January 4.

Business letters, page 25

### But is it art?

From Mr A. C. Lewin

Sir, The letter by David Gould (January 4; also letters, December 7, 11, 30) brings to mind something said to me by a cousin who is a professional artist: "I much prefer to talk to businessmen than artists — businessmen like to talk about art. All artists ever want to talk about is money."

Yours faithfully,  
ALAN LEWIN,  
3 Bourne End Road,  
Northwood, Middlesex,  
January 5.

### Mice not welcome

From Mr Fritz Spiegl

Sir, I once copied out some 19th-century Patent Office specifications which included "A Device to Prevent Ingress of Mice into Organs" (letters, January 1, 8), as well as one that enabled the organist "to change his combinations without using his feet".

Yours faithfully,  
FRITZ SPIEGL,  
4 Windermere Terrace, Liverpool 8,  
January 8.

Letters should carry a daytime telephone number. They may be faxed to 071-782 5046.

John Wood







## OBITUARIES

## THE HONOURABLE LORD MAXWELL

The Honourable Lord Maxwell, Senator of the College of Justice in Scotland, 1973-88, died on January 2 aged 74. He was born on May 21, 1919.

SCOTLAND possesses no limits of Court to add formal, enforced civility to the social interplay of its top lawyers. In Edinburgh hard work by the midnight oil is liable to be more the pattern of legal evenings. Scots lawyers thus tend to acquire a name as dry and dour. Moreover, they specialise less often than their English counterparts.

Peter Maxwell, neither dry nor dour, was acute legally but his persona still held a loner's enigmatic air. A comic vein occasionally emerged, but only in a few set-piece contexts. Unlike other senators, he took on few extra-judicial duties, insisted on long holidays, and fixatedly fly-fished. Despite going up to Balliol in the late 1930s — the era of Ted Heath, Denis Healey, Roy Jenkins, Hugh Fraser and Julian Amery — he was highly apolitical, if known at home as contrary in debate. In his case genius amounted to making infinite pains. His junior on a 1964 enquiry into a Highlands hydroelectric scheme was amazed by his command of technicalities: a scientific novice, he had mastered the logistics of water power by energy and application. His eye, famously, was for the essentials.

He was the son of a lowlands landowner and ex-naval commander in Kirkcudbrightshire, southwest Scotland. His family were Episcopalian, not Presbyterian. English links were there from the start and he went, first, to Wellington



and then to Oxford, where he read history. His university career was interrupted by war service. He joined the Army in 1939, reaching the rank of captain in an anti-tank battalion. He landed in France shortly after D-Day and took part in the final Allied advance into Germany. Returning to Balliol, he finally took his degree in 1946, being given a credit for war service. By now he had commitments, having married Alison Readman in 1941. After a brief stint as a Glasgow management trainee in the linen firm of J. P. Coats, he took a further degree in law at Edinburgh and was called to the Scots Bar in 1950. Inside ten years he was a QC, a rapid rise. He built up a civil career in law, company law, contract and trusts, with some work in "reparations" or personal injury cases, usually acting for the insurers in factory cases, but little crime. Reform of

trusts law to ease variations, generally on fiscal grounds, in the late 1950s gave Maxwell a valuable expertise.

Scotland has no system of coroners' courts. A classic case, as he ended as an advocate, evoked strong legal interest over whether to revive the ancient Scots remedy of "assythment", unused for a century. It was designed to give relatives, such as Maxwell's clients, a right to damages for grief, suffering and monetary loss against the party responsible for the death. A keenly fought contest went to the Lords, the final tribunal for Scotland, as well as for England. Maxwell kept but proved the remedy's survival.

In 1970 he became Sheriff Principal of Dumfries and Galloway near his early home, a part-time post he kept for three years until his promotion to the College. In civil matters, the College becomes the Court of Sessions and judges wear dark blue robes with deep red facings, in criminal ones, it is the High Court of Justiciary and they wear scarlet with white. The prefix "Lord" is only a courtesy title, judicially unique in the UK. Civil cases at the parties' behest may entail a jury, kept in England now only for defamation. Maxwell won a name on the Bench for incisiveness, gently teasing out key points in an interplay he relished with counsel.

In 1976 the Lords upheld his key decision in a case between canoeists and fishermen over access to the River Spey. The fish, especially salmon, are highly valued and a strong lobby disputed navigation rights. Maxwell, despite his fly-fishing bias, found for the

paddlers. Conflicts on these lines have recurred across the UK. Moving water in Scotland, unlike England, usually is not the property of the riparian owner.

In 1976 he joined a Royal Commission on Legal Services in Scotland: it came out four years later against rights of audience for solicitors, now slowly being established. In 1981 Maxwell was appointed chairman of the Scottish Law Commission, giving up the Bench. The agenda was varied. One issue was reform of bankruptcy law. Another was succession, where he was in favour of equating the rules on real and personal assets, giving the widow priority access to the family home over the heir. It entailed a clash between social and agrarian lobbies but has yet to be enacted. Another change, now law, was to lessen corroboration requirements in civil cases.

Had he stayed an active judge, he would have been a strong candidate to be one of the two Scots Law Lords. Increasing deafness accelerated his retirement, which came in 1988.

Hill-tramping, often in search of fly-fishing chances, had always been his main leisure pursuit and remained so in retirement. (Fishing, which helps workaholics to unwind, is a favoured hobby of judges.) He disliked golf, which his friend and co-judge, Lord Emslie, saw as physical ill-effects. Maxwell failed to take the point of the game.

With his wife he also made cruises and trips to Australia, the Far East and elsewhere. He leaves his widow, a son and two daughters, one son having predeceased him.

## PROFESSOR JOHN COOK

Professor John Cook, classical archaeologist, died in Stirling on January 2 aged 83. He was born in Sheffield on December 11, 1910.



JOHN COOK's career as an archaeologist combined a most distinguished record in research, publication and teaching with signal service in re-establishing the British School at Athens after the war. Educated at Marlborough and King's College, Cambridge, John Manuel Cook went out to Athens, one of a group of young scholars inspired by Humfry Payne's example, to put order into the study of Archaic Greek pottery. (Another of the group was his brother Robert, later Professor of Classical Archaeology at Cambridge.)

He returned to teach at Edinburgh University and during the Second World War served with the Royal Scots and with British Land Forces, Greece, as a lieutenant-colonel, one of several young archaeologists who put their knowledge of Greece and Greek to the service of a country they loved.

After the war the British School at Athens, which was and remains the focus for British archaeological research in Greece, was rehabilitated by Gerard Mackworth Young after its use by the Swiss and Swedish Red Cross. Cook was appointed director in 1946 and it was his task to reopen the hostel and library for students and visitors. They were difficult days, in a country still torn by civil war but where students of both pre-war and post-war training were eager to resume or commence their studies. The tightrope of

diplomacy with municipal and academic authorities was ridden with skill, and the school was the first to become fully operational again, on the best of terms with Greek colleagues. Cook took particular pride in the role it played also in assisting the reopening of the Swedish and German schools of archaeology in Athens. A generation of British archaeologists owe to him the fact that the interruption of research through the war was minimal. Excavation in Greece was in those days impossible and the first major work by the Athens School was accordingly on a major Greek site in Turkey, in collaboration with Ankara University, at the Archaic site of Old Smyrna (Bayrakli). Cook led the British team in what proved to be a spectacular success in uncovering one of the greatest Greek cities of its day, almost oriental in the quality of its architecture and finds, and in the thickness of its walls.

He was as much at home in the field as in the library. Prodigious survey expeditions

up and down the Asia Minor coast, many with George Bean, produced important topographical and historical results, notably for the area of the Troad. When he relinquished the directorship in 1954 he returned to a readership, then the Chair in Ancient History and Classical Archaeology at the University of Bristol, which he held until retirement in 1970.

His Bristol years were busy in teaching and publication. His interest in the eastern borders of the classical world led him to travel in Persia and beyond and resulted in his last book, *The Persian Empire* (1983).

He had married Egid May Robertson in 1939 and she played a full part in his role as the school. Athens. She accompanied him on virtually all his expeditions, displaying stamina and sound sense. Her death in 1976 was a shattering blow but he married her old friend Nancy Law in 1977, and she successfully revived in him an appetite for life and work.

Although he will be remembered primarily as an archaeologist, the quality of his scholarship undoubtedly owed much to his basic skills as a classicist: he won Greek Ode and Latin Essay prizes at Cambridge, and could deploy his archaeological skills against a deep background knowledge of all sources for classical antiquity. It was this, above all, that endeared him to colleagues and pupils and won him the esteem of scholars worldwide.

He is survived by his second wife Nancy and two sons from his first marriage, one a musician, the other an orientalist.

## CLIFF TEMPLE

Cliff Temple, Athletics Correspondent of *The Sunday Times* since 1969, was found dead on a Kent railway line on January 8 aged 46. He was born on January 29, 1947.

BRITISH athletics has lost one of its most popular, diligent and knowledgeable athletics writers with Cliff Temple's death. He was a leading coach, guiding British internationals including Mike Gratton, a London Marathon winner, the Olympic women's marathon competitor Sarah Rowell, and the 800-metre specialist Shireen Bailey.

Temple's 25 years as a contributor to *The Sunday Times* saw him campaign vigorously on many issues as British athletics became arguably too television-oriented and money obsessed. He also wrote books on coaching, general fitness and the international competitive scene as well as biographies of the former world-record breaking distance runner David Moorcroft, and Brendan Foster.

In his earlier years Temple was an advocate of bringing more fun into athletics promotion. His heart lay deeply in club athletics, especially in

Kent where he lived and coached, serving for several years as president of Folkestone Athletic Club. Temple was recently proud of his fundraising for a new track which will be opened at Ashford next autumn in memory of Julie Rose, one of his distance-running protégés who lost her life in an air crash.

Sadly, his last summer season in the sport, including the world championships in Stuttgart when Britain did so well, was marked by severe periods of depression following his divorce from his wife, Clare, and a continuing struggle to



support his four children. But his many friends will remember the cheery reporter, coach and clubman whose company introduced warmth into the chilliest afternoons of racing.

## NORMAN HEPPLER

Norman Hepple, portrait painter, died on January 3 aged 85. He was born on May 18, 1908.

PORTRAIT painters of royalty lead a curious social life interwoven with their professional attentions. They spend an enviable — or daunting — number of hours closeted in intimate one-to-one encounters with those who normally measure out their royal utterances in seconds when on duty: the art of lively conversation is an essential tool of their trade, to keep faces mobile and reveal facial structure and character; but their lips are discreetly sealed afterwards — or else no more commissions.

Norman Hepple, a portraitist of the Queen, the Prince of Wales, the Queen Mother (four times, two of them worked on simultaneously to spare her energies), the Duke of Edinburgh, and Princess Alexandra. An agreeable, friendly, modest man, he was discreet about these meetings; but interviewed by a journalist about the task of portraying the Queen, he is reported to have said: "I would go again for the conversation."

He evidently unlocked her talent for mimicry and her wide range of characterisations, which are privately famous. Hepple enjoyed the challenge of meeting and portraying each sitter as "a fresh slice of life", the source of an exploration over about twenty hours; though he spoke modestly about the results, saying that such portraits were simply "one human being making a statement about another".

His criterion of a portrait was that it should be "real and like", a good likeness and a good painting. Although all professional portrait painters come up against sitters for whom they have no sympathy, finding them empty-headed or empty-hearted (as some of Hepple's sitters quite transparently were), his particular achievement was to be found in the eyes of his portrayed sitters: they have a "lived-in" look.



and quite frequently are, indeed, windows of the soul.

Robert Norman Hepple was born in London, though his family came from Hepple in Northumberland. His father, Robert, was a painter, and his uncle, Wilson, an animal painter. After attending Collyer Grammar School, Blackheath, Norman Hepple studied at Goldsmiths' College, where he came under the scrupulous eye of Harold Speed, and then at the Royal Academy Schools, under Sir Walter Russell. He left there after a year following a dispute with a tutor.

He set up his first studio in Blackheath and his early years were very much a struggle. He spent the war years in the London Fire Service, but was commissioned as an Officer War Artist for particular subjects in connection with the

Fire Service. Three of his drawings and an oil painting are in the collection of the Imperial War Museum — portraits, and a picture of the mail being sorted at Mount Pleasant after a fire-bomb raid — and four more of his works are at the National Fire Service Training College.

Hepple's admired artists were Goya, Rembrandt, and Velasquez. He took on about eight portrait commissions each year, besides royalty, he painted the Dukes of Westminster, Portland, Rutland and Roxburgh, as well as many businessmen and celebrities. But he liked to alternate these with his own choice of subjects. He often wintered in Spain, painting landscapes there which would appear at the Royal Academy's summer shows. (He managed without any one-man shows until

Spink's mounted one in 1987.

He was elected an Associate of the Royal Academy in 1954 and a full Royal Academician in 1961. Though the Academy ceased in recent years its former practice of devoting regular space to portraits Hepple — who did not like to be idle from painting for long — kept up a regular sending in of half-a-dozen other subjects to the Royal Academy Summer Show into the 1990s.

Since he did not have dealer shows, and since royal portraits are hung in places of honour but seldom discussed Hepple avoided the attention of art critics — a situation which suited his down-to-earth professional approach. Norman Hepple married in 1948 Jillian Constance Mari gold Pratt by whom he had a son and a daughter. They survive him.

## PERSONAL COLUMN

<b>ANNOUNCEMENTS</b> EDUCATED lady seeks to meet... 071 726 0290.	<b>BIRTHDAYS</b> ARNOLD - Paul, Henry, John... 071 726 0290.	<b>FLATSHARE</b> BAKER ST. 1st floor for own... 071 726 0290.	<b>FLIGHTS DIRECTORY</b> FOR THE LATEST DISCOUNT AIR... 071 726 0290.	<b>OVERSEAS TRAVEL</b> WINDERMERE, Cumbria, contact... 071 726 0290.	<b>RENTALS</b> BRADDA VALE 1/2 acre house... 071 726 0290.	<b>WANTED</b> ALL BRASSING ORIENTAL, Persian... 071 726 0290.
<b>WEDDING SUITS</b> MORNING SUITS EVENING TAIL SUITS 071 726 0290.	<b>FOR SALE</b> SURPLUS TO AIRCRAFT... 071 726 0290.	<b>LONG-HAUL TRAVEL</b> SPECIALISTS 071 726 0290.	<b>PORTUGAL</b> VILLAGES, 100% potential... 071 726 0290.	<b>WINTER SPORTS</b> JAIL GARDENS, 100% potential... 071 726 0290.	<b>TICKETS FOR SALE</b> ERIC CLAPTON 5 NATIONS... 071 726 0290.	<b>OLD AND FIT</b> Help us make old and fit... 071 726 0290.
<b>FLIGHTS DIRECTORY</b> COSTA RICA, 100% potential... 071 726 0290.	<b>OVERSEAS TRAVEL</b> CANADA, USA, 100% potential... 071 726 0290.	<b>RENTALS</b> ALL RENTALS, 100% potential... 071 726 0290.	<b>WANTED</b> ALL BRASSING ORIENTAL, Persian... 071 726 0290.	<b>RENTALS</b> ALL RENTALS, 100% potential... 071 726 0290.	<b>TICKETS FOR SALE</b> ERIC CLAPTON 5 NATIONS... 071 726 0290.	<b>OLD AND FIT</b> Help us make old and fit... 071 726 0290.
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### INTERNATIONAL CONTROL IN THE AIR

TO THE EDITOR OF THE TIMES.

Sir, We are now confronted with a most intricate and difficult question of international politics, one which in the future is bound to lead to complications and controversy. Already, it is said, the French Government are considering the matter.

It has been clearly demonstrated that apparatus can now be made — whether dependent on displacement or dynamic power — which can carry them through the air in a practical manner, and there seems to be every probability that within the next few years many machines will be constructed capable of travelling hundreds of miles through the air, swiftly, surely and safely. Such vessels, moving independently of fixed tracks and regardless of boundaries such as we respect today, must be of great military value; they will certainly be much used for sport and pastime, and will in all probability soon be employed for such purposes as postal delivery, transport of light goods, and conveyance of express passengers.

If, then, such machines are to become at all common, it is very evident that laws must be made and modified to meet the new circumstances.

### ON THIS DAY

January 11 1909

Those who live adjacent to an airport will agree with the second of the writer's dire predictions, although today's "air-hogs" will be flying faster than the writer ever imagined.

stances. The first and one of the most important questions calling for solution is that regarding international frontiers, seeing that neither walls or fences, mountains nor rivers, not even seas, offer insurmountable barriers. These are airships to be allowed to traverse frontiers freely, regardless of passports, independent of Customs duties, defiant of bans of exile and laws of immigration? Are they at liberty to hover over fortifications, arsenals and dockyards?

Secondly, there is the very serious question of private boundaries. Are these "air-hogs" (as they are sure to be dubbed) to be allowed to

pass over our private property? May they glide over our chimney-tops, or skim close above our lawns and flower-beds? The law of trespass is intricate as it is, and if proof of damage to property is its malady it seems wholly inapplicable to aircraft. Damage due to accidental landings, as well as from articles dropped from above is another matter. Then there must be consideration for enclosures where sporting and other events take place and where entrance money is collected. In a few years we shall have the course at Epsom darkened by a vast flock of human vultures vying for places over the winning post!

If definite laws are adopted controlling such matters, we then get to the still more perplexing problem of how to police these realms of blue. If all machines are to bear registered numbers or means of identification, there must be some international understanding about it; for in time we may have, for instance, thousands of Germans migrating over our heads to America!

All this may read as a huge joke, but who can deny that such problems may demand our earnest attention in the near future? They must be considered where there is yet time.

Yours faithfully,  
 R. BADEN-POWELL, Major  
 22 Prince-gate S.W. Jan. 8.

John 10:1-50



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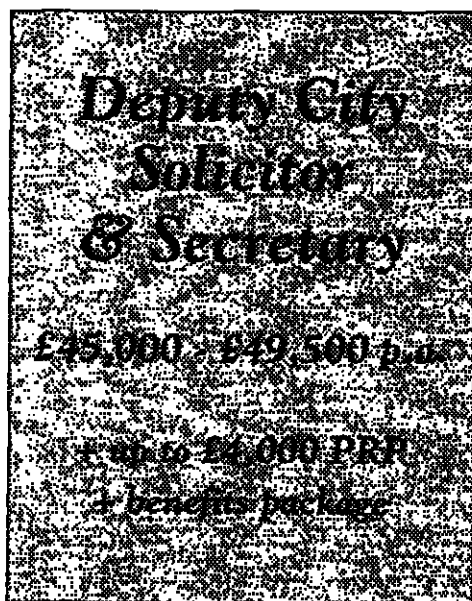
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The Tamaki Campus is the second campus of the University of Auckland, established in 1991 as part of the University's strategy for meeting the ever increasing demand for university education particularly in Auckland. The Campus is located about 13 kilometres from the City Campus on a 30-hectare site in Glen Innes. There are three academic divisions - the division of Arts, Commerce and Science and Technology responsible for the teaching at the Tamaki Campus. The courses and papers taught on the Tamaki Campus are governed by the General Statutes and Regulations and by the Regulations for the specific degrees of the University.

The Department of Commercial Law is one of the six departments in the School of Commerce and Economics. Its responsibilities include both specialist law teaching within the BCom and highly regarded postgraduate programmes for both law and commerce graduates.

Members of the department are also heavily involved in the newly established Research Centre for Business Law which has been set up by the University to encourage advanced research across departmental and faculty lines.

The University has a strong research tradition in the fields of taxation and corporate law. It now wishes to add to this strength by making appointments in the areas of international business law and information technology law.

Applicants are expected to have a publishing record and teaching experience within these areas of specialisation. While preference may be given to candidates who can teach existing papers in computer and telecommunications law, international sales, export contracts and travel law, a proven ability to expand the boundaries of the subject is also an advantage.

ASSOCIATE PROFESSORSHIP  
DEPARTMENT OF  
COMMERCIAL LAWSchool of Commerce and Economics  
and Graduate School  
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The Department has a strong research tradition. Members of the department are heavily involved in the newly established Research Centre for Business Law which has been set up by the University to encourage advanced research across departmental and faculty lines.

Applicants must have both a strong publishing record in an appropriate field of specialisation and be capable of providing academic leadership within that specialisation. Teaching experience at University level is also essential, and a proven ability to develop specialised programmes would be desirable. The appointee will be expected to assume an appropriate share of administrative responsibilities within both the Department and the School and may be required to act as Head of Department at some future date.

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Please quote relevant Vacancy Number in all correspondence. The University has an EEO policy and welcomes applications from all qualified persons.

Lloyd's

Point

THE  
LAW REP

Subscription



# Up, down, and sideways to the solution

That annual battle of wits, The Times Crossword

Championship, is getting under way again — the qualifier for all competitors will appear in the paper on January 20, followed by an eliminator on February 17, and then the regional finals. The national final is in September in London. John Grant introduces the contest with some hints for beginners on how to solve a cryptic puzzle, plus one for you to try — with an explanation of the solutions

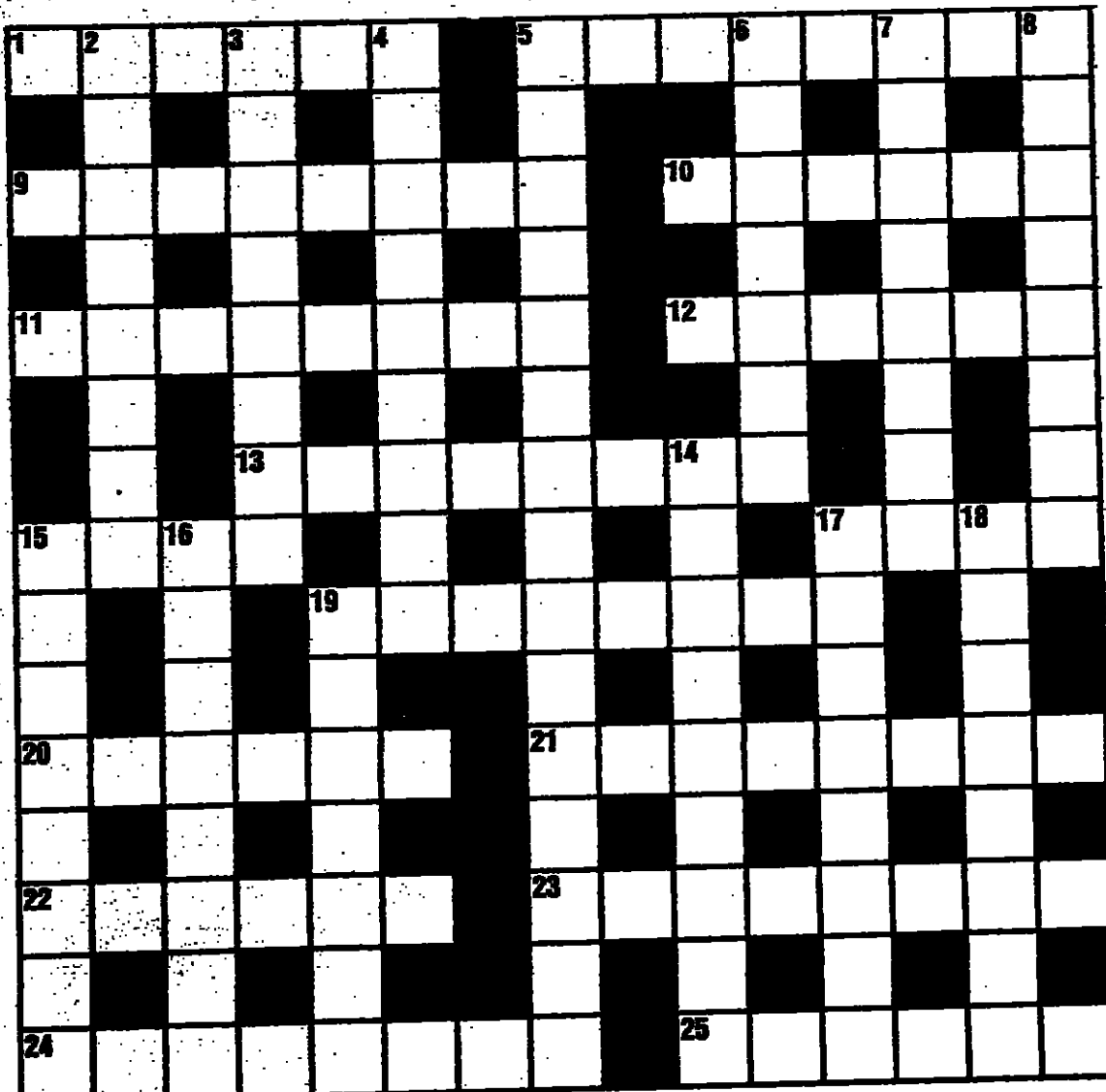
## EXPLANATION

### ACROSS

- 1 SHRINK: withdraw and contract (verb) mean the same.
- 5 Executioner or HEADSMAN — chief or HEADMAN round S (first letter in sedition).
- 9 ANCESTOR: A NESTOR (wisest of the Greeks in the Trojan War) round C (100).
- 10 PLANET, a traveller in space: leave (verb) — PLANE + (for) IT "at last".
- 11 VERONICA, a matador's pass.
- 12 Polish (verb) synonymous with finish, homophone for FINNISH, indicated by "in utterance".
- 13 STANDARD, or example ST (rect) AND (R)oad.
- 15 Stake — ANTE, hidden in Transylvanian terror.
- 17 Gem — PEARL without (right) — PEA.
- 19 "Jaunt" indicates anagram of "bride of" — DEBONAIR.
- 20 Fugitive — RUNAWAY minus A, middle, — RUNWAY.
- 21 TRY round A PEST — TAPESTRY sewer has designed.
- 22 Rivalry in IONIC — IRONIC, incongruous.
- 23 AGIN, or against, disapproved of, IMES (SEMI "replaced" or reversed) IMAGINES, or pictures (verb).
- 24 Cryptic definition, GENTILE beir the possessive case.
- 25 SIGNED: anag ("alteration in DESIGN).

### DOWN

- 2 HANGER-ON: ANGER in HO (honorary).
- 3 (one) — CE (EC = City reversed "rising" HOUSE (business) — ICE HOUS cryptically defined.
- 4 IT reversed ("mounted") — TI under K (gear) — WAKE (keep watch) — KITTI WAKE, a flier.
- 5 "A horse trained to" producing (an indicator) HARE AND TORTOISE the old fable.
- 6 Daughter — ALLIED — DALLIED flirted.
- 7 MANDIBLE, part of a bird's bill, as for eating with.
- 8 National Union of Teachers — SHE, (intermediate school form) — NU SHELL: "in a nutshell" is shortly.
- 14 Harvest — REAP + fruit, PEARS REAPPEARS.
- 15 AL (Capone) — ARMING ALARMING.
- 16 "Refuse" and "reduce volume" both TURN DOWN.
- 17 PRESSING — ironing, which uses a club in 22 ac, IRONIC.
- 18 Anag of GIVE, which is "ground", crushed, with RAGE — AGGRIEVE.
- 19 Foray — raid, or DIAR when reversed ("mounted") — IST (first) — DIARIST, John Evelyn.



The 24th annual Times Crossword Championship, in association with Knock-out and pure single malt whisky, begins next week with the publication, on Thursday, of the qualifying puzzle, which competitors must solve to enter the championship.

This year there will be no entry fee for bona-fide full-time students, and additional prizes of £100 for each student who reaches the national final. The following hints on how to solve cryptic puzzles are unlikely to wait anyone painlessly into the final, but may help to break the ice for beginners.

### BUILD-UPS (BU)

These are the staple type of clue in cryptic puzzles, in which the answer is broken down into its component parts, which are then clued individually and reassembled, sometimes in a different order. For example:

Tea left to cool in a cup (7) — CHALICE  
CHIA, tea + L (left) + ICE, cool (verb).

In Egypt, a vote for trouble (6) — UPROAR  
(PRO, a vote for, inside UAR (United Arab Republic).

Component parts may also be anagrams, or reversals, or otherwise disguised, and bits may be added or subtracted, but the clue will always contain a definition of the answer.

### DOUBLE MEANINGS (DM)

Many words in English have several meanings, which the compiler can exploit by using contrasting or even contradictory meanings of the same word, for example:

Tiresome speech — finish on the floor (6) — SCREED.  
More than one spoke lines from the heart (5) — RADII, where "spoke" looks like a verb but is a noun.

### ANAGRAMS (A)

The letters in the answer are jumbled to make another word or words. Anagrams are indicated by words that suggest movement, change, novelty, strangeness, deterioration

and the like. For example:

Literary lady's luck begins to change (4) — BLUE STOCKING  
(anag of "luck begins to").

Virtuous rogue? This must be erroneous! (9) by starting with an apparent contradiction, the arduous compiler directs attention from the anagram in "Togue this" — RIGHTEOUS.

### HIDDEN (HI)

The answer is hidden by being submerged in the clue, indicated by words such as "some", "in", "part of", etc. For example:

Respectable type Gladys is at heart (9) — an early example from D.S. Macnutt (Kinnear), where LADY is the heart of Gladys.

### HOMOPHONES (HO)

Many words with different spellings are pronounced the same — eg, bough and bow. They are indicated by phrases such as "we hear", "they say", "by the sound of it" etc. For example:

Trace crime by ploughman, say (9) — SCINTILLA, where "trace" is the definition, and "sin tiller" the homophone.

### CRYPTIC (C)

The compiler, seeking to emulate Pope's "What oft was thought, but never so well expressed", describes the answer as misleadingly as possible, for example:

Home cooking, Chinese style (5,4,4) — BIRDS NEST SOUP, and

Suitable performance to Water Music (3,5) — TAP DANCE.

### REVERSALS (R)

Words may be spelt backwards, for example:

Dress is worn by artist in retirement — SARI (RA in IS reversed).

The puzzle is regarded geographically as running from left to right, so that reversals in across clues are indicated by words like "back", "return", "replace" etc, and from top to bottom, so that reversals in down clues are said to "climb", "mount", "go up" etc.

Bold suffixes in the adjoining puzzle, first published in 1992, show the types of clue. Where there is no suffix, the clue is a build-up.

Today's crossword, page 20

## ACROSS

- 1 Withdraw from contract (6) DM
- 5 Seditionist leader in grip of chief executioner (8)
- 9 Old man perhaps — a wise old man, about a hundred (8)
- 10 Space traveller in level orbit at last (6)
- 11 She gets a pass from a fighter in the ring (8) DM
- 12 Polish, but like another tongue in utterance (6) Ho
- 13 One, thoroughfare, taken along with another, for example (8)
- 15 Stakes transfixing Transylvanian terror (4) HI
- 17 Gem not right for ring (4)
- 19 Carefree bride on a jaunt (8) A
- 20 Fugitive lacking heart in airport departure area (6)
- 21 Attempt to contain a nuisance by design of sewer (9) BU&C
- 22 Incongruous architectural style gets royal introduction (6)
- 23 Pictures commonly disapproved of in house replaced (8)
- 24 A case of possession? (8) C
- 25 Endorsed slight alteration in design (6) A

## DOWN

- 2 Unwelcome dependant causes irritation in unpaid host (6-2)
- 3 One rising City business providing security for frozen assets (3-5) BU&C
- 4 It is mounted below the gear to keep watch for flier (9) BU&R
- 5 A horse trained to produce classical racers (4,3,8) A
- 6 Daughter joined in marriage perhaps, having flirted (7)
- 7 Part of the bill for service with meals (8) DM
- 8 Teachers taking form in this shortly (8)
- 14 Harvest fruit comes up again (9)
- 15 Frightening gangster procuring weapons (8)
- 16 Refuse to reduce the volume (4,4) DM
- 17 I've argued — requiring use of club in 22 (8) C
- 18 Give ground with rage in upset (8) A
- 19 Mounted foray first described by Evelyn, say (7) BU&R

Law Report January 11 1994

## Lloyd's entitled to repayment

**Society of Lloyd's v. Clementson**  
Same v. Mason

Before Mr Justice Saville (Judgment December 16)  
Where the Society of Lloyd's had discharged its members' underwriting obligations from the central fund, it was entitled to reimbursement from the respective members who had failed to meet their commitment.

Mr Justice Saville held in the Queen's Bench Division when giving judgment on preliminary issues raised in two actions brought by the plaintiffs, the Society of Lloyd's, against two defendants, John Stewart Clementson and Gian Carlo Alessandro Mason.

Lloyd's alleged that it had discharged liabilities of the defendant members through payments from the central fund as a result of the defendants having failed to discharge their respective underwriting obligations. The central fund consisted of annual contributions from each member of the society.

Mr V. V. Veeder, QC and Mr Peter Duffy for Lloyd's; Mr Michael Burton, QC and Mr Paul Griffin for Mr Clementson; Mr Anthony Hooper, QC and Mr Craig Orr for Mr Mason.

MR JUSTICE SAVILLE said that before becoming a member of Lloyd's it was necessary for an individual to enter into agreement with the society known as a general undertaking.

The object of the agreement was to ensure that those wishing to become or continue to be members of the society bound themselves by contract with the society to comply with all the rules and regulations of the society and with the agreements which formed an integral part of the way in which the insurance market at Lloyd's operated.

In those circumstances it seemed to his Lordship that the undertaking was wholly efficacious as it was expressed and wholly carried out to the rules of the society. The contract was not incomplete. Its nature did not require that further unexpressed rights and obligations should be implied into it.

It was contended, inter alia, that by virtue of section 13 of the Sale of Goods and Services Act 1982, there was an obligation upon the society to carry out its services with reasonable care and skill. His Lordship agreed with Mr Veeder that the society did not supply services within the meaning of that Act.

The defendants contended that the defendants had been guilty of anti-competitive practices contrary to the EC Treaty (Council Directive 1976/267/EEC).

They had sustained loss as a result of that breach of Community law and that accordingly either the defendants had a defence to the claims for reimbursement or could set off or counterclaim the amount of their loss.

Not every entity constituted an

undertaking or association of undertakings, nor could every joint activity amount to concerted practices within the meaning of article 85 of the Treaty.

What was required was that the entity or association be engaged in some activity which could be described as being of an economic nature. The reason for that was the reason for article 85 itself, namely the protection of trade, industry and commerce, including, of course, service industries, from unjustifiable restrictions of competition within the common market.

His Lordship failed to see how on any sensible basis it could be suggested that in discharging the underwriting obligations of members who had failed to honour their commitment and in seeking reimbursement of such payments from those members, the society was somehow engaged in either economic activities or was doing trade between member states, or which could to any degree whatever prevent, restrict or distort competition in the common market.

The society was, in fact, endeavouring by the exercise of its regulatory powers to ensure that the Lloyd's insurance market was maintained, by in effect enforcing the underwriting obligations of the members who had failed themselves to honour their own underwriting commitments.

Unless such commitment were honoured then there would indeed be prevention, restriction or distortion of competition, for then that important part of the Community insurance market would not be able to function properly so as to compete with other insurers who were able and willing to fulfil their promises.

In his Lordship's judgment, therefore, the action of the society to recover sums disbursed from the central fund to discharge the obligations of the defendants did not, in the context of the present proceedings, constitute an activity subject to article 85 of the Treaty.

Section 14 of the Lloyd's Act 1982 did not in itself amount to something which could have the effect or effect of preventing, restricting or distorting competition within the common market. The object of the section was to provide a measure of immunity to the society in carrying out its functions, which of course did not include the actual conduct of underwriting, as opposed to the regulations of the Lloyd's insurance market.

Were such immunity not provided, then to his Lordship's mind the market for individual underwriters at Lloyd's would be prevented, restricted or distorted by claims for damages against the society by one member would have to be met by other members, since the society's resources came from the members.

Solicitors: Mr John Mallinson; Michael Freeman & Co; Lawrence Graham.

## Point of sale appearance crucial

**Bostik Ltd v. Sellotape GB Ltd**

Before Mr Justice Blackburne (Judgment December 20)

In an action for passing-off one household product for another, the crucial point of reference was at the point of sale. An identical appearance, revealed only after a purchaser had removed opaque wrapping, would not even furnish a plaintiff with an arguable case.

Mr Justice Blackburne so held in the Chancery Division, in dismissing a motion by the plaintiff, Bostik Ltd, for an interlocutory injunction restraining the defend-

ent, Sellotape GB Ltd, from passing off, or attempting to pass off, its product, a blue re-usable and re-sealable adhesive or putty, named "SelloTak", as and for the plaintiff's product, "Blu-Tack".

Mr John Baldwin, QC and Mr Patrick Cahill for the plaintiff; Mr Nicholas Pumfrey, QC and Mr Michael Silverleaf for the defendant.

MR JUSTICE BLACKBURNE said that a distinctive feature of the plaintiff's "Blu-Tack", widely marketed since 1972, was its blue colour: a slab some 8cm by 12cm, sandwiched between two release

papers, being enclosed in a slim, opaque, wallet with "Bostik Blu-Tack" prominently marked both on the front and on the flap of the wallet.

Both names were its registered trademarks. In 1992 its turnover, at \$90 a wallet, was £2,250,000.

Between 1987 and 1989 the defendant had marketed a similar product, yellow in colour and in a yellow wallet, which had proved inferior in quality. But by 1992 a better quality of putty had been produced and the defendant decided to market it in a wallet approximately the same size but otherwise having a wholly different appearance: being marked with a diagonal yellow ribbon and the name "SelloTak" both on the front and on the flap.

It was not possible for a prospective purchaser, without opening the wallet and stripping off the plastic sheath containing the product, to see that its colour was the slightly paler shade of blue. Sales of "SelloTak", at 49p a wallet, had begun in mid-June 1993.

The plaintiff's passing-off claim rested entirely on the defendant's selection of blue for its similar sized adhesive.

Mr Baldwin had referred to Hoffmann-La Roche & Co AG v. DDA — Pharmacia (1992) 1 All ER 311, where the defend-

ant had been restrained from marketing similar looking capsules with a different name: Sedotrans Ltd v. Thom Cascade Co Ltd (1982) RPC 459 [similar looking carbon-dioxide cylinders] and the "Jif" lemon case, Reckitt & Coleman Products Ltd v. Borden Inc (1990) RPC 341; but in that case both Lord Justice Slade (at pp 375-6) and Lord Oliver of Aylmerton (at pp 408-9) had emphasised findings of fact by the trial judge, beginning with "The crucial point of reference for a shopper who wishes to purchase a Jif squeeze lemon is the lemon shape itself."

Here, in contrast, a shopper who saw a wallet containing "SelloTak" would (a) know or believe it contained an adhesive (b) know it was not "Blu-Tack".

There seemed no basis for a suggestion that the latter product's reputation was divorced from its name; indeed, in a shop where both products were on sale, their names were the only means of distinguishing between them.

There had been no evidence before his Lordship that any shopper had purchased "SelloTak" thinking it was "Blu-Tack", and the plaintiff had failed to persuade him that it had even an arguable case of passing-off.

Solicitors: Gaisley Waring, Birmingham; S. J. Berwin & Co.

## LEGAL APPOINTMENTS

LEGAL APPOINTMENTS CONTINUE ON PAGE 32

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## THE TIMES

### Legal Appointments

continues on pages  
32-35.

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PROBATE/W. COUNTRY solicitor 1-2 years required by expanding practice to assist a variety of commercial work, including insurance and company secretarial work. Please send CV to: Rowley Ashworth, 39-41 Parker Street, London, WC2B 5LH. Tel: 071 831 2000.

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## ARTS 29-31

Multiply by 40,000 and you have the Tate's latest exhibit



## LAW 33-35

Gypsies travel into a new age of confrontation



## SPORT 36-40

Back rows to the fore in rugby union's countdown

BREWING UP FROM A HOBBY

Small business 28

# THE TIMES

TUESDAY JANUARY 11 1994

## Standard Life quits new investment watchdog

By Sara McConnell  
PERSONAL FINANCE  
CORRESPONDENT

STANDARD Life, Britain's largest mutual life insurer, has withdrawn its support from the Personal Investment Authority being set up by the financial services industry to regulate sales of investments to members of the public.

It is now calling on the Government to scrap self-regulation altogether and introduce a system of statutory regulation for sales of life

insurance, pensions and other investments. It said it could not support the PIA board's recent decision to allocate only nine of its 19 seats to investors, practitioners, with the rest going to directors' with consumer interests. It attacked the board's decision as "fundamentally wrong in principle and very unlikely to lead to effective regulation".

Jim Stretton, Standard Life's deputy managing director, has resigned his seat on the PIA board.

Standard Life's announcement will be a big blow for the PIA, whose

formation has been dogged by delays and industry infighting. There are fears that if others follow Standard Life's example, the PIA could disintegrate. Life companies, banks and building societies have only reluctantly given their support to the PIA, which is meant to become the single self-regulatory body for retail investments in place of the four existing bodies. Last summer, the Prudential, the largest life insurer, called for statutory regulation in place of the PIA.

Scott Bell, Standard Life's managing

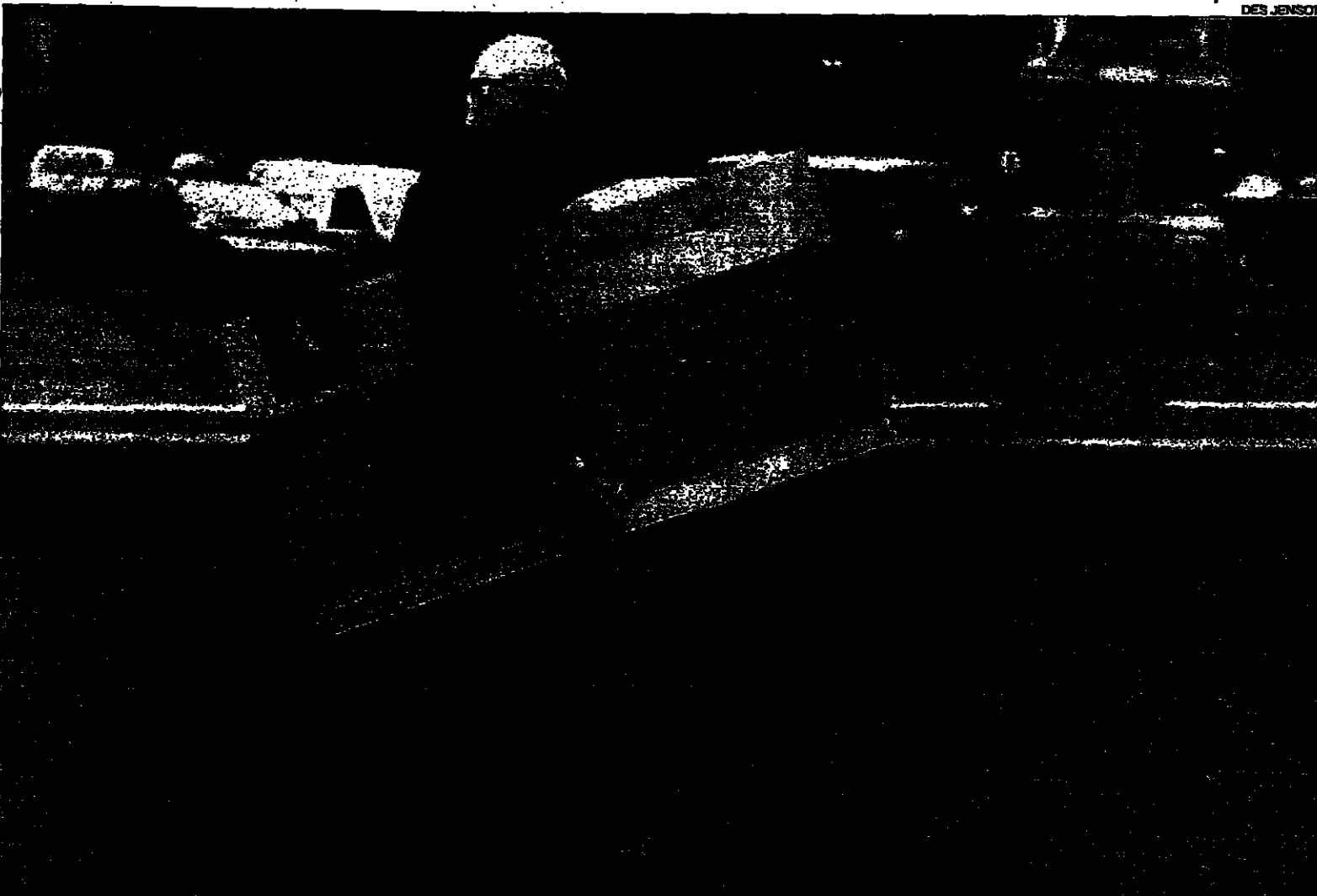
director, said: "There are, and always have been, only two means by which strong regulation can be effectively achieved. The first is a self-regulatory structure as envisaged by the Financial Services Act in which practitioners act to regulate themselves with advice from independent directors and subject to the consent of the Securities and Investments Board (SIB). The second is a single-tier statutory regulatory accountable directly to Parliament. The formation of the PIA on the basis proposed . . . will

most certainly not provide such a structure. We therefore oppose the creation of the PIA on the basis proposed. Unless we can have a true self-regulatory structure, which I believe can and would work well in practice, we must have a statutory regulator."

Mr Stretton said a board dominated by consumer interests would not be a self-regulatory body and would "bring into being an unnecessary tier of regulation accountable directly neither to Parliament nor the industry". He added: "In advising

the Treasury of my decision to resign I have offered to help formulate an efficient regulatory system, enforced by and accountable to Parliament, to which consumers of financial services are entitled."

SIB, which is overseeing the formation of the PIA, said it regretted Mr Stretton's decision to resign. However, it added that it had been clear since January 1993 that SIB wanted the PIA board to have a majority of consumer interest members, including the chairman.



Sir Christopher Benson, striding out with his Ladbroke and MAI lottery consortium's promise of up to £1 billion a year for good causes

## Vernons joins race for lottery

By Jon Ashworth

SIR Christopher Benson, one of the City's leading industrialists, is chairing a bid to run Britain's £4 billion-a-year national lottery. Games for Good Causes, backed by Ladbroke, owner of Vernons Pools, and by MAI, the financial services and media group, promises hundreds of jobs for Liverpool and up to £1 billion a year for charities and the arts.

Vernons' presence fuelled speculation that Littlewoods, the pools industry leader, may have to join the race. A statement is expected today.

Sir Christopher, former chairman of MEPC, the property group, said: "We are well positioned to win the licence. The national lottery must be exciting and fun to play as well as being a well-run force for good in our national life."

Malcolm Hughes, former managing director of Vernons Pools, is to be chief executive. Peter George, chief executive of Ladbroke, is on the board, as is Lord Hollick of MAI.

Mike Smith is to be chief executive of Ladbroke's betting and gaming division, joining from Bowater. Ladbroke is soon to appoint Mr Hughes's successor at Vernons.

Pennington, page 23

## Quarter of workers 'touched by job loss'

By Philip Bassett  
AND PATRICIA TEHAN

UNEMPLOYMENT has hit more than a quarter of Britain's entire workforce during the recession, according to a new computer study of joblessness carried out by The Times.

This finding comes in a week when the jobs toll in financial services worsened with news that Barclays Bank is to cut an additional 3,000 staff in the next two years.

The Banking, Insurance & Finance Unit (Bifu) also said that at least two more financial institutions are planning "substantial" job cuts, with announcements expected later this week.

David Hunt, the Employment Secretary, will tomorrow announce the Government's latest unemployment figures, and ministers are hopeful that the total for December will continue the downward trend identified at the weekend by the Prime Minister.

In advance of that, the latest analysis, carried out by The Times, of unemployment data held on Government comput-

More than 100,000 banking and finance jobs have been cut in the past four years and more staff reductions are on the way as the number of high street branches is reduced

ers clearly indicates that though unemployment may now be falling — and may continue to decline in 1994 in line with the John Major's prediction — during the three years of the recession it has hit many more people in the workforce than the Government's month-by-month figures suggest.

Each month, the regular official figures show the number of people claiming benefit while unemployed, and indicate what proportion of the workforce — currently 10 per cent — are out of work.

Ministers claim that most of those out of work move back out of unemployment very quickly, and The Times analysis shows that over the period of the recession, some 15.7 million people have become unemployed, and about 14.6 million left unemployment.

The recent decline in unem-

ployment is indicated clearly by the sharp fall in inflows, with only 4 million becoming unemployed in 1993 compared to 4.6 million the previous year and 4.4 million in 1991.

Many people who lose their jobs have been hit by unemployment before, though, and Whitehall officials estimate privately that perhaps half of those coming into unemployment may have been counted more than once.

Taking that into account suggests that more than a quarter of the entire workforce in Britain — perhaps about 28 per cent — have been affected by unemployment in the recession. The current UK workforce totals some 27.8 million.

The Barclays announcement that it had increased its target for job cuts over a five-year period from 18,000 to 21,000 follows an earlier rais-

ing of its initial 15,000 target to 18,000 at the end of 1992.

Since 1991 Barclays has shed 16,000 jobs, taking staffing levels down to 68,500, and is planning 505 compulsory redundancies from branches in London and the South East next month. That leaves 4,500 still to go. Most of the jobs will go from clerical positions in high street branches.

The bank blamed the impact of new technology and the "fundamental change in the way we do business", including the increasing use of cash machines and telephone banking.

John Cotton, personnel director, said the bank will try to reduce staff by voluntary means, only resorting to compulsory redundancy after fully exploring other avenues.

According to Bifu, 100,000 jobs have been axed from the finance industry, including banks and building societies, over the past four years. Bifu said 2,000 high street branches and 1,000 building society branches have closed over the past five years.

Jobseekers' form, page 25

## Lloyd's accused again over settlement offer

By Sarah Bagnall, Insurance Correspondent

LLOYD'S of London is being accused of having wrongly carved up its £900 million settlement offer — for the second time. The allegation comes less than two weeks after the Corporation of Lloyd's had to recalculate the whole package, when it admitted that virtually every name had been offered the wrong amount in compensation for their losses.

Of even greater concern is the suggestion that over several years numerous names may have been wrongly sent demands for cash for losses, while other names may have wrongly avoided cash calls.

The claims, made by the Sturge Names Action Group, are based upon membership information for 1993, which it bought from Lloyd's for £500 in December, along with historical data supplied separately to a member of the group.

John Rew, chairman of the Sturge action group, has written to Peter Middleton, Lloyd's chief executive, voicing his concerns. He wrote: "We have now found that there are very many errors, some serious, both in the recent 1993 data sent to us in December, and in the earlier data. It may be that some of these errors account for some of the discrepancies that appear to occur even in

the latest offer documents that have been sent by Lloyd's to all members in the past week."

According to Mr Rew, there are 61 errors in the database for Sturge syndicate 210 for the 1990 year alone. Of these errors, 48 relate to names who are said to have made losses on 210, but are not listed in the Lloyd's blue book as syndicate 210 names nor on the syndicate stamp. If this is found to be true then these names may have been sent cash calls for losses they never made.

Conversely, "seven other members, who are on the syndicate stamp, are not in the database. Six other members appear in the database and in the blue book, but not on the stamp. How does this affect the losses of these members?" Mr Rew asks.

The letter highlights further possible errors in the 1993 database. Mr Rew claims that there are 59,493 duplicate entries in the data, representing about 20 per cent of the 331,489 entries on the disk. In the case of two names, they are shown as on the same syndicates through two agents. The remaining duplicate entries are exact duplicates and Mr Rew asks if this means that they have had their losses overstated. Mr Rew also questions the accuracy of earlier data.

BUSINESS EDITOR  
Robert Ballantyne

BUSINESS  
TODAY

MORE DOUBT



The government seized on a halving in the trade deficit during the month of October as good news. Others are not so sure  
Page 22

MORE SCANDAL

As the financial world gets back to basics, the scandals all begin to come out, writes Anthony Harris  
Page 24

MORE CUTS



Tomkins, the conglomerate, says further cuts are needed at RHM to achieve acceptable margins  
Page 23, Tempus 25

MORE SALES

Signet, the former Raters group, says it will be back in the black after buoyant Christmas trading  
Page 23, Tempus 25

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MIDDAY TRADING FIGURES		MARKETS IN DETAIL PAGE 24; SHARE PRICES PAGE 26			

Handwritten signature or mark at the bottom of the page.







□ Little comfort for Large and the PIA □ Vernons joins the lottery game □ LWT drama runs in slow motion

## Mr Stretton takes it personally

THE resignation of Jim Stretton from the board of the Personal Investment Authority on the grounds that to have a majority of public interest members on the board will not be to the public interest will probably help the PIA to get what it wants more easily.

Next week the authority, which will become a fully fledged investment regulator during the summer, will decide on the precise structure of its board. At its last meeting it agreed in principle that out of the 19 directors only nine should be active practitioners. Mr Stretton, deputy managing director of Standard Life, has been on the board for a year as one of 11 practitioners. Now there are ten — one to go.

Mr Stretton, backed by the largest mutual life assurance company in Europe, seems concerned that PIA cannot technically be described as a self-regulatory body if there are ten public interest directors on its board. It would not be directly accountable to Parliament nor the industry, he argues, and as such would not be in the interests of the consumers.

His answer is not to stay and ensure the quality of the practitioner membership but to offer to help the Treasury to set up a statutory regime. He does not venture to say how many prac-

tioners would be on its board, but if other statutory bodies are anything to go by it would fall far short of a majority.

Some might question Mr Stretton's choice of timing to make his embarrassing departure. A year ago Andrew Large, chairman of the Securities and Investments Board, made it clear in a leaked letter that he wanted a public interest majority on the board of the PIA. Nothing has changed apart from PIA's decision in principle to go along with the views of the senior regulator and the arrival of a senior insurance man in the chair at the PIA.

Behind the scenes, it seems the life lobby is more concerned that the banks and building societies are set to get a greater say in the running of the organisation that will regulate all investment companies selling to the public. This might seem natural as banks and building societies are setting up their own life assurance companies to sell the full range of investment products. Why, the Halifax only last summer gave notice to Standard Life that its tied agency agreement would be

terminated when it had set up its own life arm, Halifax Life.

Of course, the life offices still have a way of packing the empty seats on the public interest bench. There are only five on that side of the table at the moment. Five more to find.

One of their number is Joe Palmer, the chairman of the PIA and a former head of the Association of British Insurers and Legal & General. He resigned from other directorships last September in order to take up the position at the authority. A few more resignations might do the trick.

### Pools operators make their play

THE marketing fraternity, with anything up to 15 per cent of a potential £4 billion turnover to play for, is attempting to earn its lottery crust, witness the emergence yesterday of Games for Good Causes Plc an enterprise whose very title almost brings a lump to the throat. A shame, all things considered, that Mother Teresa couldn't have been pre-



valued upon to front up such an institution, the compromise candidate being Sir Christopher Benson.

So, as *The Times* highlighted last Friday, Lord Hollick, managing director of MAI, has decided to throw his hat into the ring with Vernons, the pools offshoot of Ladbrokes which, only days ago, let it be known that former chairman Cyril Stein had chosen to bow out of the boardroom. MAI and Ladbrokes will each take a one third stake with advisers KB (arguably taking a lead out of the NM Rothschild/Tattersalls book) confident of peddling the remaining third to City institutions, conceivably themselves included.

Enter AT&T/NCR as technol-

ogy partner (but not a shareholder) to the consortium. Sir Christopher, who presided over yesterday's curtain raising exercise, stressed that the consortium has drawn upon the expertise of leading lottery operators in Europe, North America and Australasia, including La Française des Jeux, the French National Lottery combine. Speculation has long had it that Ladbrokes/MAI might forge somewhat closer links with La Française des Jeux. Whatever the original concept, matters are unlikely to have been helped by last year's news that auditors had fought shy of ratifying the state-controlled gambling company's 1992 accounts. A subsequent report into the affairs of La Française des Jeux raised question marks over communication and publicity expenditure of some £550 million in 1992 — up 55 per cent in the space of two years — and the purchase of a new £510 million computer system. The life-style of chief executive Gerard Cole — a former campaign manager for President Mitterrand — and his senior colleagues also came

under the spotlight which hovered over such matters as lavish holidays and an excessive advertising spend.

Enter, among the great and the good, Lord Heskeith, former Government Chief Whip in the Upper House, and Elizabeth Filkin, the Inland Revenue's Independent Adjudicator on taxpayer's complaints. At the sharp end, Malcolm Hughes, former managing director of Vernons, emerges as chief executive. Hughes is highly regarded in the industry and Vernons' drawing board work in anticipation of the National Lottery is perceived as second to none. It is understood that Vernons flirted with LWT as a potential lottery partner but switched allegiance to MAI after Granada (a major player in the Great British Lottery consortium, spearheaded by Granada's Gerry Robinson) acquired its initial stake in LWT.

Meanwhile, American lottery specialist, Automated Wagering International, is covering the field, being a potential supplier to AT&T/NCR, an associate of the Great British Lottery amalgam and, conceivably, a would-

be candidate for the Rothschild/Tattersalls grouping.

Declared runners include: Camelot, Rothschild/Tattersalls, the Great British Lottery Company and Games for Good Causes. Nor can the Branson-led "charitable" bid be ignored. News is now awaited from Rank Organisation, GEC/Thorn-EMI/Tote and, possibly, Littlewoods. Problem is, will the Government permit a pools operator to run the competition?

### Dawn of reality on TV advertising

DELAYED reactions appear to be the order of the day in the TV arena. LWT is still waging a war of words, the problem being that they are not the words that matter, such words being promised in next week's defence which will finally herald LWT's profit forecast for 1993.

Word now has it that the Incorporated Society of British Advertisers is perturbed about the Carlton/Central TV and Granada/LWT mergers and is urging Sir Bryan Carsberg to take action — possibly via MMC references. But surely we have known for more than a month that if the mergers will account for more than half of ITV's £1.4 billion annual advertising revenue.

## Signet 'back in the black this year'

SIGNET, the former Ratners jewellery group, said it would return to the black in the current year, for the first time since 1991, following buoyant Christmas trading.

James McAdam, chairman, said sales last month were 11 per cent up on December 1992, helped by a robust performance at Sterling, Signet's American jewellery business, which now accounted for 55 per cent of group sales.

In Britain, Ernest Jones increased like-for-like sales by 12 per cent, while H Samuel lifted sales 5 per cent. Growth at the Ratners chain, which is being scaled back to just 60 stores, was flat.

The British jewellery operations should be close to breakeven in the current year, although Ratners continues to lose money, albeit at a reduced rate.

Tempus, page 25



Buoyant Christmas trading provides a window of opportunity for James McAdam's Signet, formerly Ratners

## BAT unveils £30bn merged fund management group

By SARAH BAGNALL, INSURANCE CORRESPONDENT

BAT Industries is merging Allied Dunbar Asset Management with Eagle Star Asset Management to form the United Kingdom's tenth largest investment management group with £30 billion of funds under management.

The formation of Threadneedle Asset Management comes less than a year after BAT formed closer links between the companies by bringing both chairmanships under one man, George Greener. Dr Greener, chief executive of BAT's UK financial services division, is chairman of the new company, expected to be up and running by May.

The move, which follows six months of talks with the companies' top management will strengthen and fill the gaps of both businesses," Dr Greener said. Allied Dunbar has a stronger research

department while Eagle Star is a more sophisticated user of financial instruments and has a more international bias.

"Both companies will be able to pool resources so that we will increase our knowledge of areas around the world, our research capabilities and currency hedging, for example," Dr Greener said.

Tempus ————— 25

Allied Dunbar and Eagle Star will continue to market their insurance, life assurance and unit-linked products under their own names and their funds will remain separate but managed under the Threadneedle banner.

"You will always see the two brands but the question is how we will manage the two

brands. There are definite advantages of bringing parts of the two companies together," Dr Greener said.

About 300 staff are affected by the merger, of which 60 are fund managers and a further 60 are front-office staff. There will be few redundancies as a result of the change as those staff not required as a result of the planned back office rationalisation are expected to be redeployed elsewhere in Allied Dunbar and Eagle Star.

"The total expenses of Threadneedle at £30 million are small in comparison of the size of the funds but we expect to see these fall by between 10 per cent and 20 per cent," Dr Greener said.

## Tomkins soars but RHM faces another shake-up

By SUSAN GILCHRIST

A FIRST full six months contribution from Ranks Hovis McDougall helped almost double interim profits at Tomkins, the lawnmower-to-bicycles conglomerate.

However, the group gave warning that further rationalisation was needed to achieve "acceptable" margins at RHM.

Pre-tax profits rose from £47.1 million to £93.8 million for the six months to October 30.

RHM contributed operating profits of £38.5 million, while profits at the "old" Tomkins businesses, excluding RHM, rose 21 per cent from £9 million to £47.4 million, reflecting a revival in some of the group's American markets.

The interim dividend is lifted from 180p to 2.08 per share, an increase of 15 per cent.

Greg Hutchings, Tomkins' chief executive, said the integration of RHM, which was acquired in December 1992 for £925 million, was on track, but he added that it still had a long way to go to achieve acceptable margins and return on capital.

The milling and baking businesses made operating profits of £7.1 million, on sales of £343.1 million, representing a margin of 2.1 per cent. The

food products division, which includes Sharwood's and Mr Kipling, was slightly healthier, with profits of £31.4 million on turnover of £452.6 million.

The baking industry has been plagued by overcapacity and intense price competition, as retailers have demanded ever-higher discounts.

However, the group said that the situation was beginning to stabilise, with manufacturers having cut prices back as far as they could and with excess capacity taken out.

Tomkins has already closed 22 factories within RHM, shedding nearly 3,000 jobs. To date, the group has spent £12.3 million on reorganisation, with a further £68.9 million of

unused provisions remaining. Mr Hutchings said the rate of spend would start to increase in the second half, as the company cut costs further and invested in new technology to improve returns.

The group has sought to combat the difficult market conditions by investing in development of its premium-priced brands, supported by an £8 million increase in advertising expenditure.

Tomkins has been heavily criticised for the RHM acquisition because of the hefty purchase price. However, Mr Hutchings insisted that it was a typical Tomkins business involved in low-risk technology. He said the pressures that it faced were no different to those experienced by the group's other businesses.

The best-performing businesses outside of RHM were all in America. Mid-West and Dearborn, which supply heavy duty conveyor systems, benefited from a resurgent car market, while Smith & Wesson capitalised on higher handgun sales ahead of a possible tightening of the gun licensing laws.

The shares fell 3p to 259p at yesterday's close.

Tempus, page 25

## Improved margins lift Treatt

Improved margins coupled with currency gains helped Treatt, the USM-quoted distiller of oils and aromatic chemicals, lift profits by 31 per cent in the year to September 30.

Pre-tax profits rose from £1.27 million to £1.66 million and the final dividend from 2.6p to 2.9p. The shares went from 167p to 180p. Earnings per share advanced 31 per cent to 12.3p. The rise in profits, which benefited from a £167,000 exchange gain on an inter-company loan in US dollars, was achieved in spite of turnover rising only 2 per cent, to £15.4 million. As a result, net profit margins improved from 8.4 per cent to 10.5 per cent.

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Tempus, page 25

dictator of Panama? why and to what extent was BCCI used by the CIA? Mr Naqvi has been described as the accountant who controlled day-to-day operations of BCCI, founded by the more flamboyant Aga Hasan Abedi, incarcerated in Pakistan after a heart attack. Many billion dollars of BCCI assets have not been traced since the bank was shut by regulators around the world in 1991.

Sheikh Zayed bin Sultan al-Nahyan, Abu Dhabi's ruler, who took over BCCI, will surrender \$400 million to \$500 million of frozen BCCI assets in the US to repay depositors and finance US enquiries.

AND IF YOUR MIND clamps shut at the mere mention of the word million, consider this: If you add up your lifetime earnings — past and future — you will see that you will almost certainly earn a fortune in your lifetime. It could add up to a million pounds — or more.

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Of course, what you could be doing is taking this fortune and turning some of it into another fortune — the one you want to end up with.

But you'll probably say you've been too busy to attend to this yourself... or perhaps managing money today just seems too complicated.

Then there's the myth that somewhere out there — if only you could find him — is a friendly, honest person who is going to give you sound and impartial advice on what best to do with your hard-earned money.

THE REALITY is somewhat different. The person you are looking for may not exist! Unless you are already a millionaire — or close to it — there is virtually no such thing as top quality independent financial advice today.

The shocking fact is that most professional advisers are, on the whole, just simply not much good at what they do. Take investing in the Stockmarket. Common research clearly shows that most professional investors and advisers — such as stockbrokers and unit trust managers — actually do more poorly than the Stockmarket as a whole.

IN FACT the widely-accepted Random Walk theory says that you will beat the pros at picking shares by simply blindfolding yourself and sticking a pin in the share table in your newspaper. Incredible, but true.

Look at unit trusts. The vast majority of them under-perform the Stockmarket in general over time. They would have actually lost you money, compared to buying shares at random!

So the question is: Why pay fat commissions and "management fees" to have a so-called professional manage your money?

The answer is — don't. But... let's face it... most people find today's world of personal finances too complicated — and too baffling. In short, they're stuck. They are successful in many other respects. But when it comes to investing and money management they have no real plan. All because there's been no simple way to get started. This is, until now...

SUCCESSFUL PERSONAL INVESTING (SPI) is the much acclaimed, up-to-the-minute, "hands-on", self-instruction course in investing and money management that you follow at home... at your own pace... with no pressure. In simple language it outlines step-by-step how to build your own financial

IF YOU'D LIKE TO RETIRE WITH A MILLION - START TAKING YOUR OWN ADVICE.

"At last it is possible for a normal human being to learn the ins-and-outs of money-management and investing without all sorts of pompous and confusing technical twaddle... The Successful Personal Investing programme from IRS is like a great breath of fresh air."

Douglas McEliff, TV and Radio Financial Commentator

Independence... and how to take the million or so you'll probably earn in your lifetime and get started on building the million you want to end up with... and all without depending on some "adviser"... and without paying through the nose for advice that isn't truly independent.

THE SPI COURSE starts with the basics and then goes on to the "tricks of the trade" — the simple, tried and true techniques that enable you to protect and then pyramid profits to build wealth even faster.

First — you'll quickly see how to "uncover" up to an extra £2,000 a year to invest — money you probably didn't even know you had.

Second — you'll be surprised at how easy it is to learn how to evaluate pension schemes... gifts... shares... Personal Equity Plans... Enterprise Investment Schemes... property investments... simple strategies that can slash your tax bill... in fact, all the important areas of investing and money management.

Third — And maybe most rewarding you'll learn in detail about a number of "crack" but simple "behind-the-scenes" techniques that you don't usually get to find out about at all. The kind that can often boost your returns 20, 30, even 50 per cent more — sometimes just in months — not years.

FOR EXAMPLE, a little technique called a "straddle", lets you bet that the Stockmarket will go up — and at the same time bet that it will go down — believe it or not. It is perfectly possible to make a profit whether it goes up or goes down!

Or how you can use your pension plan to turn £750 into £1000 overnight — or more if you're a higher rate taxpayer. Of course there's a good deal more. But as you can see Successful Personal Investing is definitely not just some collection of "hot tips" or boring technical mumbo-jumbo.

Always everything is spelled out step-by-step, like a simple recipe. So you take just those steps that are right for your own circumstances.

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True, money isn't everything. But it does help. SPI shows you how to start on the way towards having that million — and being able to tell yourself that you're a "millionaire". So, before your mind clamps shut over that word again... why not at least take the opportunity to see for yourself? You can now get to look over the first two lessons with no obligation for 10 days just by posting the coupon below. And whatever you decide, Lesson 1 is yours to keep — FREE!

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Here's how the SUCCESSFUL PERSONAL INVESTING PROGRAM WORKS: 1) Two lessons are made available every 3 to 4 weeks, for £11.25 each, plus postage. 2) You may review each of the 35 lessons in the course for 10 days — at no charge and "pay-as-you-go" only for those you decide to keep. 3) You can cancel this arrangement at any time and drop out of the course whenever you want. On this basis, please send me that first two lessons. I'll return them at no charge. Then, I'll either send back Lesson 2 — or pay for it only if I decide I want to continue. In any case I may keep Lesson 1 free.

Name (Mr, Mrs, Miss, Ms) \_\_\_\_\_ Address \_\_\_\_\_ Postcode \_\_\_\_\_ We most occasionally allow selected reputable companies to mail you with interesting offers. Please tick here if you'd prefer not to have this opportunity. 02573-4

Handwritten signature or mark.



# Shares off the boil as buyers stay away

SHARE prices suffered a turnaround of almost 40 points as the equity market came off the boil after investors took a breather. The FT-SE 100 index lost an early lead of more than 22 points, with the financial future turning easier. At one stage, the index was nursing a loss of 16 points but later rallied, helped by an opening 24-point rise on Wall Street. London eventually closed 5.4 lower at 3,440.6.

Traders remain bullish about the short-term outlook despite the feeling that the next cut in interest rates may take longer to realise than was originally envisaged. Institutions still have plenty of cash and are continuing to target sectors that have been left behind. This was again reflected in turnover levels, with

almost 850 million shares changing hands. Pharmaceuticals, out of favour with investors for some time, rallied against the trend. Zeneca rose 4p to 807p, Glaxo to 680p, and SmithKline Beecham A, 11p to 406p.

Rank Organisation suffered from advice by Hoare Govett and Panmure Gordon, the brokers, to take profits with a fall of 21p to £10.13. Full-year figures are due on Thursday.

Hoare Govett also left BAT Industries 8p lower at 559p after downgrading its profit estimates.

Kingfisher, a weak market last week on worries about Christmas trading, struggled off a profits downgrade from Smith New Court to finish 8p dearer at 737p.

## STOCK MARKET

Hopes that the long awaited recovery in the advertising world may be underway lifted WPP 9p to 101p, AM Vickers 8p to 53p, Gold Greenlees 22p to 22p and Loxley 3p to 25p. Saatchi & Saatchi also firmed 2p to 150p as Oakmark, the US recovery investment group, lifted its stake to almost 10 per cent.

Ladbroke rose 6p to 200p, while MAI was steady at 284p after joining forces in an attempt to win the contract to run the National Lottery.

Whitebread A slipped 5p to 569p, despite reporting that Christmas sales were ahead of last year.

Base fell 19p to 569p on persistent speculation that it is close to selling its British soft drinks division to Pepsi Cola for around £450 million.

Tomkins touched 27p before settling 3p cheaper at 259p, despite seeing first half pre-tax profits surge from £47.1 million to £93.8 million in line with City expectations.

Signal, the Ratners jewellery chain, climbed 3p to 31p after forecasting a return to profitability during 1994 compared with a loss of £40.1 million last year.

Business Technology, the photocopy supplier, rose 1p to 151p after receiving 45.36 per cent acceptance to its open offer. The balance of 15.4

million shares were placed with institutions. Eurotunnel fell 11p to 625p after learning that Georges Christian Chazot, chairman of Adia, the employment agency, is to take over as chief executive once the tunnel opens for freight traffic in March.

Tiploak, the troubled trailer and container rental group, touched 70p before ending the session 6p lower at 72p. The group has delayed the publication of utilisation figures until later today, when it will make a further announcement. The heavily indebted group is currently in talks to dispose of its container rental division.

GILT-EDGED: Gilt's took their cue from other world bond markets and traded lower in narrow limits. The March series of the Long Gilt

fell £7/32 to £119 1/2, as 45,000 contracts were completed. In the cash market, dealers reported little support before Friday's expected announcement giving details of the next auction. Treasury 9 per cent 2012 slipped £7/16 to £125 1/16, while at the shorter end, Treasury 9 1/2 per cent 1999 closed unchanged at £115 3/32.

WALL STREET: Shares continued to trade higher at midday, with strength in automobile issues. All four players in the Renault takeover saga were down. After a brief hiccup earlier, the Dow Jones industrial average was up 19.98 points at 3,840.75. Advancing shares led declining issues 11 to eight.

MICHAEL CLARK

## MARKETS AT A GLANCE

**THE POUND**  
US \$ 1.4855 (+0.0025)  
German mark 2.5835 (+0.0048)  
Exchange index 82.5 (+0.2)  
Bank of England official base (April)

**STOCK MARKET**  
FT-SE 100 3440.6 (-5.4)  
Dow Jones 3840.75 (+19.98)  
Nikkei Avg 18443.44 (+319.43)

**INTEREST RATES**  
London Bank Base 5 1/2%  
3-month Interbank 5 1/8%  
US Federal Funds 3%  
3-month Treasuries 3.02-3.00%  
Long Bond 6.25%

**CURRENCIES**  
New York: London 1.4855  
S.D.M. 1.7345 S.D.M. 2.5835  
S.W.M. 1.4725 S.W.M. 2.0208  
S.F.R. 5.5088 S.F.R. 8.8340  
S.Yen 112.38 S.Yen 167.81  
S.D.R. 1.0818 S.D.R. 1.3343  
London Foreign Market Close

**GOLD**  
London (Fmg) \$1. PM 383.74  
AM 382.20  
Close 383.10-383.60  
Coke 383.25-383.75

**OIL**  
Brent Crude \$13.85 per bbl (Feb)

**RETAIL PRICES**  
RPI 141.6 Nov (1.4%) Jan 1987-100  
Denotes midday trading price

## TOURIST RATES

Bank	Bank
Australia \$	2.21
Austria Sch	13.07
Belgium F	36.74
Canada C	2.073
Cyprus Cyp	0.803
Denmark Kr	10.66
Finland Mk	5.94
France F	6.55
Germany DM	2.32
Greece Dr	336.50
Hong Kong \$	12.18
Indonesia Rp	173.75
Italy Lira	2036.00
Japan Yen	163.00
Netherlands Gld	0.625
Portugal Esc	204.00
Spain Ptas	166.64
Sweden Kr	12.21
Switzerland F	2.20
Turkey Lira	22.36
USA \$	1.950

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

# Price war and weather take fizz out of Barr

By PHILIP PANGALOS

A COMBINATION of poor summer weather, the super-market price war and increased sugar prices took the fizz out of full-year profits at AG Barr, the Glasgow soft drinks group that makes Irn Bru and Tizer.

Pre-tax profits fell 32 per cent to £4.07 million in the year to October 30, compared with £5.97 million in the corresponding period last year. Turnover declined to £87.9 million, from £94.7 million, depressed by weak sales of own-label soft drinks.

Robin Barr, the chairman, said: "The cost of our major raw material remains more dependent on currency fluctuation than on the cost of growing it, and we can only hope that the forthcoming review of the EC sugar regime will lead to the start of a fairer market for this important commodity."

The weakening of sterling since Britain left the exchange-rate mechanism in September



Irn Bru performed well for AG Barr's Robin Barr

1992 led to sugar import prices rising, at their peak, by 18 per cent, although they have since slipped back to be 12 per cent higher.

The group was able to take comfort from increased export sales of Irn Bru and Tizer. Both brands performed strongly in the United Kingdom,

with sales up 4 per cent. The company added that total turnover to the December 31 is just above last year's figure.

Earnings slide to 15.5p (21.5p) a share. The final dividend is maintained at 4.75p, giving an unchanged total of 6.5p. The shares fell 5p to 305p.

## RECENT ISSUES

Company	Price	Change
Aberforth Split C (100)	100	...
Abnott World Mgt (100)	96	...
CLM Ins (100)	110	+
Chesfield (155)	182	-1 1/2
DPS Furniture (260)	31	-1
Fairbairn Euro Smr (100)	98	...
Finsbury Unwrtng Inv	111	+
For & Col Smaller (100)	117	+
Friends Prov Ethical (60)	59	...
Friends Prov US (120)	123	+
Friends Prov O PT (60)	63	+
Gartmore (168)	201	...
Govett Emerging C	116	+
Govett High Wls (100)	109	-3
Govett High Wls	25	...
Harmony Leisure Wls	4	...
Inspirations (100)	109	+
Kleinwort 2 Edw Pk (50)	51	...
Libro Supplies (190)	239	...
London Industrial (330)	365	+10

## MAJOR INDICES

Index	Value	Change
New York (midday)	3840.75	(+19.98)
S&P Composite	471.99	(+1.99)
Tokyo	18443.44	(+319.43)
Hong Kong	11366.94	(+365.46)
Amsterdam	424.42	(+0.40)
Sydney AO	2196.3	(+10.3)
Frankfurt	2233.79	(+22.15)
DAX	2233.79	(+22.15)

## TRADITIONAL OPTIONS

Option	Price	Change
First Dealings	100	...
Last Dealings	100	...
Last Declaration	100	...
For Settlement	100	...

## COMMODITIES REPORT

COMMODITIES REPORT: London corn turned around early losses to close with gains across the board and coffee also ended in the plus column, although off the day's highs. Sugar remained in the plus column in late trade, straying little from its earlier gains. Wheat futures, which had been in a volatile pattern with short-lived rallies being sold into very quickly.

## LONDON COMMODITY EXCHANGE

Commodity	Price	Change
COFFEE	100	...
SUGAR	100	...
WHEAT	100	...

## MEAT & LIVESTOCK COMMISSION

Meat	Price	Change
Beef	100	...
Lamb	100	...
Pork	100	...

## MAJOR CHANGES

Company	Price	Change
Adam & Harvey	494p	(+10p)
Adam & Harvey	303p	(+10p)
Roth & Notar	335p	(+20p)
Smithline	406p	(+11p)
Swire Pacific A	535p	(+23p)
Takeda Chem	706p	(+30p)
Unidare	390p	(+25p)
Wolsey	895p	(+25p)
Smith New Court	430p	(+14p)
Dialpak	150p	(+11p)
Gilco	680p	(+16p)

## LONDON FINANCIAL FUTURES

Contract	Price	Change
FT-SE 100	3440.6	(-5.4)
Three Month Sterling	94.92	(+0.02)
Three Month Eurodollar	94.92	(+0.02)

## COMMODITIES

Commodity	Price	Change
CRUDE OILS	100	...
WHEAT	100	...
SUGAR	100	...

## PRODUCTS 6/M

Product	Price	Change
CRUDE OILS	100	...
WHEAT	100	...
SUGAR	100	...

## UNLEADED GASOLINE

Grade	Price	Change
90 Oct	100	...
95 Oct	100	...
98 Oct	100	...

## LONDON METAL EXCHANGE

Metal	Price	Change
Copper	100	...
Aluminum	100	...
Zinc	100	...

## ANTHONY HARRIS

# The basics of the market in scandal

They look fat and enviable, but they ought to get danger money. Indeed most of them do. Many heads of financial intermediaries have an even lower life expectancy than heads of government, perhaps the most threatened species in the post-boom world, but their service contracts give them protection that most of us would happily trade for humdrum safety. What none of them will get is sympathy.

This is a bit headless, for the seeds of the scandals that are now giving us all so much amusement were sown to a decade ago. They spring up rankly at the end of every good cycle in financial markets: first the illusion of effortless wealth, then the negative equity. As the financial world begins to get back to basics it all comes out. Governments that have lent unwisely and insurers that have promised the impossible are shown up — and someone has to clean up the mess.

Before you know it, the muckrakers are in charge. Conduct which barely raised a tolerant eyebrow in the age of miracles is exposed at full page, salacious length. The rate of exposure is governed by libel lawyers, who insist every rumour that has been yellowing in a news editor's bottom drawer must be backed by documents and affidavits: this one will run and run.

Financial scandals emerge without any invasion of privacy as soon as the profits begin to falter, because fleeced clients bleat loudly. The banks began getting a bad press as soon as they decided to look to higher charges to cover the losses they had made in the loan market. They are now surely profitable enough to clean up their act. The silly head office circulars which could lead a manager to think he was being clever when he charged a customer for accepting lunch off him are no doubt being redrafted, as urgently as if they had started life in Downing Street. Rapacious loan sharks will be slammed by market testing, since banks are now advertising for borrowers. This is now one for the history books.

The insurance scandals have taken a little longer, because savers who have lost their jobs or suffered in the housing market are reluctant to cash in their policies — then to discover that most of their early contributions have gone to the salesman rather than to their portfolio. It is their protest that seems to have awoken the self-regulators, both here and in the US, where similar scandals are emerging. Here the pension salesman trying to outbid company schemes promised "retires" which could not be delivered even by the bull market we have enjoyed. They have got personal funding a bad name.

In the US, the life was more direct. Clients are, perhaps, more sophisticated and were on their guard against high insurance costs; so a handful of salesmen actually disguised their policies as mutual fund savings plans, which offer a much better deal. Metropolitan Life has already promised full refunds to 40,000 policyholders, at a cost of up to \$30 million. More scandals seem bound to follow. Congressional investigators have caught the scent of indignant voters.

Financial scandals will serve a useful purpose if they remind the public to read bank statements, and to remember the most basic trading law: caveat emptor; but that is no excuse for complacency. The attitude of the insurance salesmen who have complained that disclosure of fees will cut their sales seems to go right to the top. Jim Stretton, of Standard Life, has just resigned from the Personal Investment Authority because it plans to recruit more public interest representatives.

The correct response is "Get lost." The best way to restore the good name of the financial markets is to urge regulators to give higher priority to protecting the customers. The self-regulators have belatedly got this message and are now beginning to earn niches alongside Ofsteds and the Office of Fair Trading. The really good news would be that the Bank of England behaved like another guard dog, instead of a lobbyist defending the clearing-bank rip-offs. But don't try holding your breath until it happens.

## Exchange Index compared with 1985 was up at 82.5 (day's range 82.2-82.5)

Index	Value	Change
FT-SE 100	3440.6	(-5.4)
Dow Jones	3840.75	(+19.98)
Nikkei Avg	18443.44	(+319.43)

## BASE RATES CLEARING BANKS

Bank	Rate	Change
Bank of England	5 1/2%	...
Bank of Ireland	5 1/8%	...
Bank of Scotland	5 1/8%	...

## PRIME BANK BILLS (DIS)

Bank	Rate	Change
Bank of England	5 1/2%	...
Bank of Ireland	5 1/8%	...
Bank of Scotland	5 1/8%	...

## STANDARD & POOR'S

Index	Value	Change
FT-SE 100	3440.6	(-5.4)
Dow Jones	3840.75	(+19.98)
Nikkei Avg	18443.44	(+319.43)

## EUROPEAN MONETARY UNIT

Unit	Value	Change
ECU	100	...
DM	100	...
FF	100	...

## EUROPEAN MONETARY UNIT

Unit	Value	Change
ECU	100	...
DM	100	...
FF	100	...



## On the breadline

that cheque would have already passed through the clearing system and, therefore, quite reasonably, interest charges start to accrue from that date.

Yours faithfully,  
BRIAN MAPLEDORAM,  
Andu,  
Lower Argyll Road,  
Exeter.

---

**Letters can be faxed  
to 071-782 5112.**



## Small losses at the close

ACCOUNT DAYS: Dealings began January 4. Dealings end January 14. Settlement day January 24. \$ forward bargains are permitted on two previous business days. Prices recorded are at market close. Changes are calculated on the previous day's close, but adjustments are made when a stock is re-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1993/94								1993/94							
High	Low	Company	Price (\$)	Net +/-	Yld div %	P/E		High	Low	Company	Price (\$)	Net +/-	Yld div %	P/E	
								303	173	Norwalk FoodLife Sweet	220	-1	3.8	1.3 28.9	

## BANKS, DISCOUNT, HP

324	194	Albany Ind	495	-2	11.8	30	200	231	Tule Catto	283	-4	27.76
325	195	Albany Ind	507	-8	14.2	157	307	297	Green	285	-4	4.8
326	196	Albany Ind	510	-1	4.1	1	310					
327	197	Albany Ind	513	-1	4.1	1	313					
328	198	Albany Ind	516	-1	4.1	1	316					
329	199	Albany Ind	519	-1	4.6	20	319					
330	200	Albany Ind	522	-1	4.6	20	322					
331	201	Albany Ind	525	-1	4.6	20	325					
332	202	Albany Ind	528	-1	4.6	20	328					
333	203	Albany Ind	531	-1	4.6	20	331					
334	204	Albany Ind	534	-1	4.6	20	334					
335	205	Albany Ind	537	-1	4.6	20	337					
336	206	Albany Ind	540	-1	4.6	20	340					
337	207	Albany Ind	543	-1	4.6	20	343					
338	208	Albany Ind	546	-1	4.6	20	346					
339	209	Albany Ind	549	-1	4.6	20	349					
340	210	Albany Ind	552	-1	4.6	20	352					
341	211	Albany Ind	555	-1	4.6	20	355					
342	212	Albany Ind	558	-1	4.6	20	358					
343	213	Albany Ind	561	-1	4.6	20	361					
344	214	Albany Ind	564	-1	4.6	20	364					
345	215	Albany Ind	567	-1	4.6	20	367					
346	216	Albany Ind	570	-1	4.6	20	370					
347	217	Albany Ind	573	-1	4.6	20	373					
348	218	Albany Ind	576	-1	4.6	20	376					
349	219	Albany Ind	579	-1	4.6	20	379					
350	220	Albany Ind	582	-1	4.6	20	382					
351	221	Albany Ind	585	-1	4.6	20	385					
352	222	Albany Ind	588	-1	4.6	20	388					
353	223	Albany Ind	591	-1	4.6	20	391					
354	224	Albany Ind	594	-1	4.6	20	394					
355	225	Albany Ind	597	-1	4.6	20	397					
356	226	Albany Ind	600	-1	4.6	20	400					
357	227	Albany Ind	603	-1	4.6	20	403					
358	228	Albany Ind	606	-1	4.6	20	406					
359	229	Albany Ind	609	-1	4.6	20	409					
360	230	Albany Ind	612	-1	4.6	20	412					
361	231	Albany Ind	615	-1	4.6	20	415					
362	232	Albany Ind	618	-1	4.6	20	418					
363	233	Albany Ind	621	-1	4.6	20	421					
364	234	Albany Ind	624	-1	4.6	20	424					
365	235	Albany Ind	627	-1	4.6	20	427					
366	236	Albany Ind	630	-1	4.6	20	430					
367	237	Albany Ind	633	-1	4.6	20	433					
368	238	Albany Ind	636	-1	4.6	20	436					
369	239	Albany Ind	639	-1	4.6	20	439					
370	240	Albany Ind	642	-1	4.6	20	442					
371	241	Albany Ind	645	-1	4.6	20	445					
372	242	Albany Ind	648	-1	4.6	20	448					
373	243	Albany Ind	651	-1	4.6	20	451					
374	244	Albany Ind	654	-1	4.6	20	454					
375	245	Albany Ind	657	-1	4.6	20	457					
376	246	Albany Ind	660	-1	4.6	20	460					
377	247	Albany Ind	663	-1	4.6	20	463					
378	248	Albany Ind	666	-1	4.6	20	466					
379	249	Albany Ind	669	-1	4.6	20	469					
380	250	Albany Ind	672	-1	4.6	20	472					
381	251	Albany Ind	675	-1	4.6	20	475					
382	252	Albany Ind	678	-1	4.6	20	478					
383	253	Albany Ind	681	-1	4.6	20	481					
384	254	Albany Ind	684	-1	4.6	20	484					
385	255	Albany Ind	687	-1	4.6	20	487					
386	256	Albany Ind	690	-1	4.6	20	490					
387	257	Albany Ind	693	-1	4.6	20	493					
388	258	Albany Ind	696	-1	4.6	20	496					
389	259	Albany Ind	699	-1	4.6	20	499					
390	260	Albany Ind	702	-1	4.6	20	502					
391	261	Albany Ind	705	-1	4.6	20	505					
392	262	Albany Ind	708	-1	4.6	20	508					
393	263	Albany Ind	711	-1	4.6	20	511					
394	264	Albany Ind	714	-1	4.6	20	514					
395	265	Albany Ind	717	-1	4.6	20	517					
396	266	Albany Ind	720	-1	4.6	20	520					
397	267	Albany Ind	723	-1	4.6	20	523					
398	268	Albany Ind	726	-1	4.6	20	526					
399	269	Albany Ind	729	-1	4.6	20	529					
400	270	Albany Ind	732	-1	4.6	20	532					
401	271	Albany Ind	735	-1	4.6	20	535					
402	272	Albany Ind	738	-1	4.6	20	538					
403	273	Albany Ind	741	-1	4.6	20	541					
404	274	Albany Ind	744	-1	4.6	20	544					
405	275	Albany Ind	747	-1	4.6	20	547					
406	276	Albany Ind	750	-1	4.6	20	550					
407	277	Albany Ind	753	-1	4.6	20	553					
408	278	Albany Ind	756	-1	4.6	20	556					
409	279	Albany Ind	759	-1	4.6	20	559					
410	280	Albany Ind	762	-1	4.6	20	562					
411	281	Albany Ind	765	-1	4.6	20	565					
412	282	Albany Ind	768	-1	4.6	20	568					
413	283	Albany Ind	771	-1	4.6	20	571					
414	284	Albany Ind	774	-1	4.6	20	574					
415	285	Albany Ind	777	-1	4.6	20	577					
416	286	Albany Ind	780	-1	4.6	20	580					
417	287	Albany Ind	783	-1	4.6	20	583					
418	288	Albany Ind	786	-1	4.6	20	586					
419	289	Albany Ind	789	-1	4.6	20	589					
420	290	Albany Ind	792	-1	4.6	20	592					
421	291	Albany Ind	795	-1	4.6	20	595					
422	292	Albany Ind	798	-1	4.6	20	598					
423	293	Albany Ind	801	-1	4.6	20	601					
424	294	Albany Ind	804	-1	4.6	20	604					
425	295	Albany Ind	807	-1	4.6	20	607					
426	296	Albany Ind	810	-1	4.6	20	610					
427	297	Albany Ind	813	-1	4.6	20	613					
428	298	Albany Ind	816	-1	4.6	20	616					
429	299	Albany Ind	819	-1	4.6	20	619					
430	300	Albany Ind	822	-1	4.6	20	622					
431	301	Albany Ind	825	-1	4.6	20	625					
432	302	Albany Ind	828	-1	4.6	20	628					
433	303	Albany Ind	831	-1	4.6	20	631					
434	304	Albany Ind	834	-1	4.6	20	634					
435	305	Albany Ind	837	-1	4.6	20	637					
436	306	Albany Ind	840	-1	4.6	20	640					
437	307	Albany Ind	843	-1	4.6	20	643					
438	308	Albany Ind	846	-1	4.6	20	646					
439	309	Albany Ind	849	-1	4.6	20	649					
440	310	Albany Ind	852	-1	4.6	20	652					
441	311	Albany Ind	855	-1	4.6	20	655					
442	312	Albany Ind	858	-1	4.6	20	658					
443	313	Albany Ind	861	-1	4.6	20	661					
444	314	Albany Ind	864	-1	4.6	20	664					
445	315	Albany Ind	867	-1	4.6	20	667					
446	316	Albany Ind	870	-1	4.6	20	670					
447	317	Albany Ind	873	-1	4.6	20	673					
448	318	Albany Ind	876	-1	4.6	20	676					
449	319	Albany Ind	879	-1	4.6	20	679					
450	320	Albany Ind	882	-1	4.6	20	682					
451	321	Albany Ind	885	-1	4.6	20	685					
452	322	Albany Ind	888	-1	4.6	20	688					
453	323	Albany Ind	891	-1	4.6	20	691					
454	324	Albany Ind	894	-1	4.6	20	694					
455	325	Albany Ind	897	-1	4.6	20	697					
456	326	Albany Ind	900	-1	4.6	20	700					
457	327	Albany Ind	903	-1	4.6	20	703					
458	328	Albany Ind	906	-1	4.6	20	706					
459	329	Albany Ind	909	-1	4.6	20	709					
460	330	Albany Ind	912	-1	4.6	20	712					
461	331	Albany Ind	915	-1	4.6	20	715					
462	332	Albany Ind	918	-1	4.6	20	718					
463	333	Albany Ind	921	-1	4.6	20	721					
464	334	Albany Ind	924	-1	4.6	20	724					
465	335	Albany Ind	927	-1	4.6	20	727					
466	336	Albany Ind	930	-1	4.6	20	730					
467	337	Albany Ind	933									



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## OPERA page 30

Israeli soprano Michal Shamir makes a fine British debut in Opera North's *La traviata*.

## ARTS

## FILM page 31

The battle for Elstree Studios, where Star Wars was created: now the courts will decide



VISUAL ART: An impressive show of sculpture in Liverpool; a saleroom drama; plus news and listings

## Ways to figure it all out

The human form plays an unorthodox but central role in the work of sculptor Antony Gormley, writes Richard Cork

Unlike most of the other leading British sculptors who emerged in the early 1980s, Antony Gormley is preoccupied with the human form. But his approach does not mark him out as a conventional artist. By concentrating on casting, he distanced himself from the traditions of carving or modelling. Gormley's way of working has more in common with Rachel Whiteread than Jacob Epstein, even if his decision to use his own body means that he upholds Epstein's belief in the central importance of the figure.

The first exhibit in Gormley's most impressive show to date, at the Tate Gallery Liverpool, reaffirms this overriding priority. *Close 1* lies spreadeagled before us, its greyness coldly contrasting with the warm wood floorboards beneath. The body might simply be resting in order to regain physical or spiritual strength and reaffirm a kinship with the ground supporting him. He could, however, be the stripped and defenceless victim of an assailant, who has commanded him to stretch out as a prelude to violation or death.

Both interpretations are equally valid, and they give the sculpture an ambiguity which wars with the apparent straightforwardness of its form. Cast from Gormley himself, who adopted this pose for the purpose, *Close 1* is more of an Everyman than a self-portrait. Rather than reflecting the sculptor's narcissistic fascination with his own body, it uses the personal simply as a springboard for the universal. Fingers, toes and other distinguishing features have been smoothed away, by an artist whose passion for simplification is reinforced in the white soldering lines running across the figure without regard for anatomical realism.

*Close 1*'s title implies that the body draws sustenance from its proximity to the earth. And Gormley does attach great impor-

tance to "a kind of objective appraisal of my relationship to the world". Having been brought up as a Catholic in a Benedictine boarding school, he escaped from its doctrinal framework of moral judgments and searched for another world view. "I want to start with things that just are", he says, and in this respect his concentration on the figure is a means of arriving at an incontrovertible reality.

But the ambiguity of meaning in *Close 1* proves that Gormley's vision is far from simple. The spreadeagled form may well be frustrated with his bodily limitations, and he might even have flung himself on the ground in despair. At any rate, the next space is devoted to a lead colossus called *Vehicle*, which looks like the cast of a glider unaccountably grounded in an art gallery. The last time I saw this piece, seven years ago, it was displayed on the Serpentine Gallery's lawn and looked mysterious. But *Vehicle* seems more powerful here, constrained by its indoor setting and the sentinel-like iron columns of the original warehouse. The marked absence of a cockpit, let alone the pilot who might occupy it, encourages us to see the whole sculpture as a metaphor for the human body and our desire to fly. *Vehicle* is in this sense thwarted, and escape through the nearby window is out of the question.

Frustration reaches a climax with *Testing a World View*, where five casts of the same bent figure are placed in different ways throughout the room. Gormley himself has likened the ensemble to Cubism's fascination with multiple viewpoints, but this sculpture has a far more violent and alarming impact. Although the figures are identical, they look jarringly disparate. One lies on the floor with straight legs projecting stiffly in the air, while another is jammed horizontally into a corner. The figure who has been allowed to stand on his feet is the most

disturbing of all, butting his head against a wall. Near by, the fourth man assumes a pyramidal shape, rising up only in order to jackknife and fall head-first to the ground. As for the fifth figure, he lies with his back to the wall, as if thrown there by the force of an explosion.

The entire sculpture could represent the aftermath of a bomb attack, with each of its victims frozen by rigor mortis into a grievously contorted position. Even if they are seen as living, all these figures are in a state of crisis. Perhaps to emphasise their perturbation, Gormley has cast them in iron. Streaks of rust disrupt their grey surfaces, where granular deposits have gathered like soot. The result looks far rougher than his earlier lead figures, whose gleaming, smoothed-out limbs reflected his determination to choose a neutral material distanced from the sensuality of naked form. But this denial of desire, influenced by his youthful

interest in Buddhism, has now given way to a more seductive and in my view welcome involvement with alternative materials.

Even concrete, used in six pieces which inhabit a space of their own, is beguilingly used. At first sight, they resemble Minimalist slabs. And in one respect Gormley does owe a debt to artists like Andre and Judd, whose ruthless simplifications purged sculpture of everything other than its fundamental form. But he uses Minimalism here as a foil, to frame his exploration of the human presence. Each of the slabs turns out to bear a figurative imprint.

The indentation of a hand appears on two sides of the tallest block, *Immersion*. And the cruciform piece, *Flesh*, has been punctured by fingers, thumbs and feet in the appropriate places. They have the unsettling effect of suggesting that a body is encased within the concrete cross. But entombment is replaced by a more affirmative notion in *Sense*, where the cubic

form is pierced by hands and circular cavities which enable us to peer into the hollowed-out interior. This time, the entire block seems on the point of overcoming its chilled severity and achieving regeneration in human form.

It is only a possibility: Gormley's agnosticism will not allow him to entertain the comforting certainties of his childhood faith. The idea of quickening and stirring nevertheless plays an even more important part in the grandest, most spectacular work he has so far produced. *Field for the British Isles* fills the floor of a vast, barn-like space with around 40,000 figures. Modelled in clay, a far more sensuous material than anything he has used before, they have been made by families contacted through local schools in the Sutton district.

Working together for a week in a school annex, up to 100 people contributed to the epic venture. Gormley encouraged them to find their own ways of making, and only offered the guideline that the

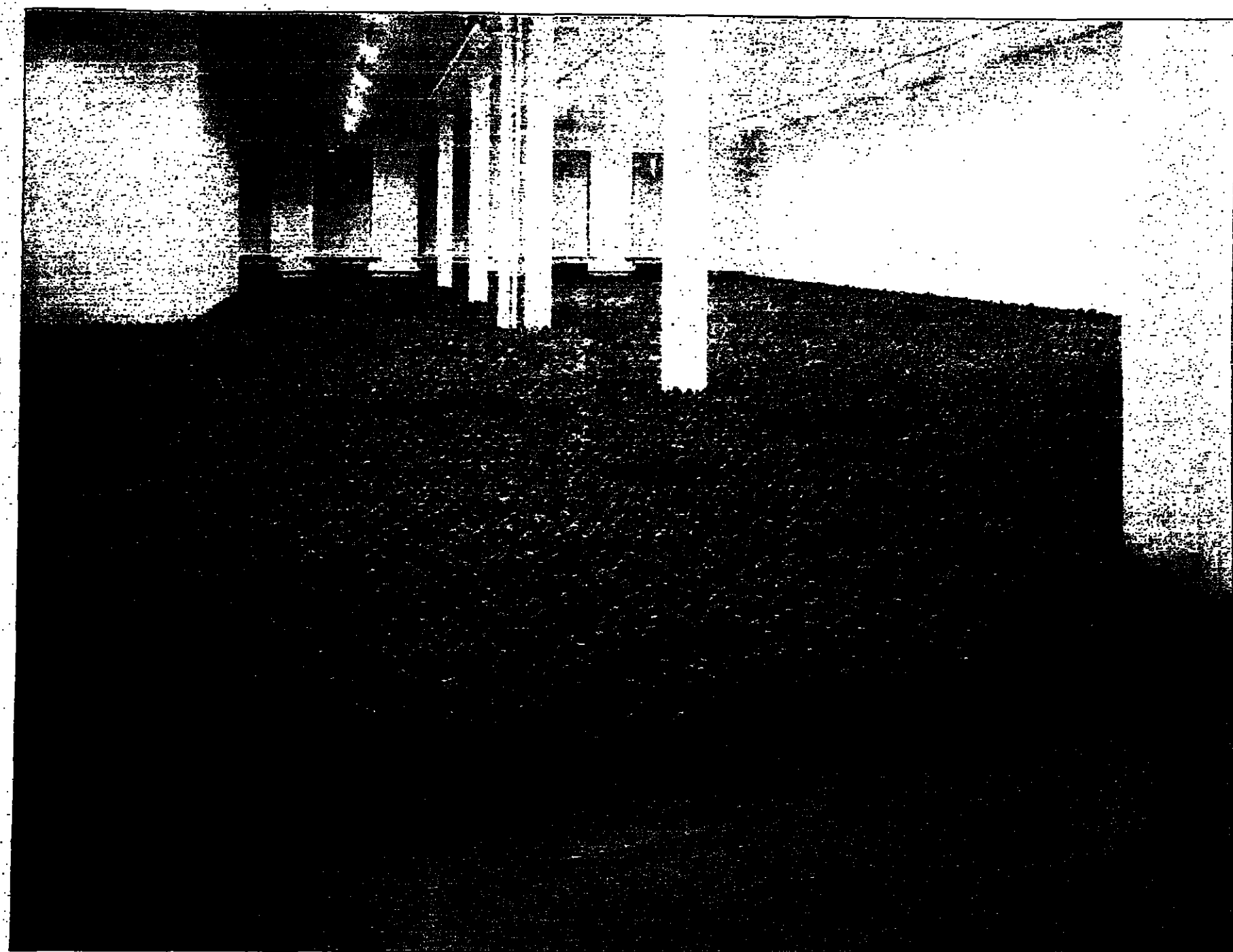
figures should be upright, hand-sized and easy to hold, with the proportion of head to body roughly correct. But pencils were provided to make prominent eye-holes, which he wanted "deep and close".

In view of the licence they were given, the outcome's uniformity is astonishing. Although each figure subtly differs from its neighbours, they merge in a homogeneous crowd of standing people who all appear to strain upwards. Their fertile warmth covers the room's immense floor like a burnished carpet, its predominant terracotta richness interrupted by the occasional, irregular streak of a darker colour. At one moment, I found myself thinking of the ancient Chinese warriors clustered so neatly in their Emperors' graves. But these watchful figures seem more vulnerable. Even if some rise above the mass, like a group of taller trees suddenly asserting themselves in a forest, they all remain minuscule com-

pared with the viewers gazing in at them.

Framed like a painting by the doorway, they prevent us from entering their space. They look apprehensive, as if fearful that their sanctuary might be invaded by a force that could crush them. There is obstinacy in their defensiveness, however. And their overwhelming sense of community gives the sculpture an optimistic air as well. Gormley's ambiguity is at its most potent here, balanced between trepidation and reassuring solidarity. But the knowledge that so many untrained adults and children were responsible for the work adds to the sense of wonder. *Field for the British Isles* bridges the divide separating so much contemporary art from its potential audience, encouraging the hope that a new understanding may spring from this harvest of transfixed yet quietly expectant form.

● Antony Gormley: *Testing a World View* at the Tate Gallery Liverpool (051 709 3223) until Feb 6



Antony Gormley's *Field for the British Isles*, 1991: the grandest, most spectacular work he has yet produced, it fills the floor of a vast space with some 40,000 figures

### TELEVISION REVIEW: John Mortimer's new auction-house saga

Simple word association ought to have warned me that in a drama series called *Under the Hammer* subtitled would not be the outstanding virtue. But to find in the first few minutes of this new ITV auction-house saga that the authenticity of a "Raphael portrait" was a throwaway plot device — "Kinsky's not in the business of selling fakes" — actually made me blench.

This "Raphael", you see, caught an unforeseen chill in the saleroom, and was bought for a fraction of its expected price. Whether this easy-come-easy-go masterpiece had any repercussions in the art world was not made plain, because of course such issues were not important.

What mattered in John Mortimer's script for *Under the Hammer* was that the fiasco caused a few red faces, raised the issue of attribution, and allowed crusty Old Master expert Ben (Richard Wilson) to make a rather surprising speech to the effect that fakes can give pleasure equal to the genuine article. Take female orgasms, for example, says he.

I suppose I must confess a particular weakness where Mortimer is concerned: I can't stand anything he writes. To me, his dialogue seems lazy, his plots obvious, and his characters as thin as communion wafers. I stress that this is a personal failing against which I strive when

## Bidding to be a genuine dud



Jan Francis as an auctioneer in *Under the Hammer*

he levers smug old-coderish opinions into his characters' mouths (à la Kingsley Amis). "I can't stand that fellow," said a dying man of his doctor, last night. "He asked me to call him Kevin. Furthermore he carries an umbrella while wearing jeans."

A guest appearance by a superbly queenly Sir John Gielgud leavened the proceedings delightfully, but otherwise there was little to promise that the staff of Kinsky's — lonely Ben

(Richard Wilson), confused Maggie (Jan Francis) and Jouchie Nick (Michael Siberry) — will be ITV's answer to *Lowell*. One limps forward to the next episode with only a vague idea that Ben loves Maggie, while Maggie loves Nick, but without caring in the slightest about any of them.

Anyway, in last night's story, Nick (a cork-sniffer wine expert with a cat's boyfriend) was banished from Maggie's bed because of "improfessional conduct" so

thoroughly improper it would — in real life — surely efface his career. But strangely nobody cared about that. Maggie was upset, that's all. "You're enormously beautiful," she blurted, before clonically slamming the door. "But the truth of the matter is, you're a fake!" Just think, if only Alan Bennett had seen art-life-genuine-fake matters this plainly. A *Question of Attribution* would have been a much shorter play.

Searching for good points, I would say that Susan Woodbridge gave a very clever performance as Sarah, a mediocre artist so desperate for recognition that she would claim a genuine Old Master as her own work, and thereby relinquish millions of pounds. While much odium was directed at Sarah's plainness (she looked all right to me), she cycled gamely in her braids and specs until finally struck by a lorry and killed. You may remember that Susan Woodbridge first came to recognition as Daphne Manners in *The Jewel in the Crown*. She never did have much luck with bikes.

So, will Ben make Maggie fall in love with him? With dicky attribution dealt with in the first episode, what other plot lines are left? If you have "the discovery of the century" in the opening episode, surely the only way forward is down.

LYNNE TRUSS

## Alleged thefts at the auctioneers

PHILLIPS the auctioneers were deeply embarrassed when police arrested 11 present members of staff and two former employees last September in connection with a series of alleged thefts. The company's chairman, Christopher Weston, issued an urgent statement expressing concern at the allegations and reassuring the public that "no client of Phillips has suffered" as a result.

Weston may be relieved by subsequent developments. The vast majority of the luckless 11 Phillips employees have been released without charge. Two porters, Sergio Giudici and Warren O'Callaghan, have been committed to stand trial in the spring.



● ERSTWHILE dealer Henry Wyndham started his tenure as Sotheby's new UK chairman with a bout of horticultural enthusiasm in St James's Park last November. No, he is not moonlighting as a royal gardener: this green-fingered exercise marked the start of a year-long celebration of the company's 250th birthday. By the time the celebrations get properly underway, no fewer than one million daffodils will be standing to attention in Sotheby's name, close to Buckingham Palace.

derway, no fewer than one million daffodils will be standing to attention in Sotheby's name, close to Buckingham Palace.

### No starting price

BUSINESSMEN who are down on their luck could do well to acquire one of two jackets once owned by "Prince Monolulu", the larger-than-life racing tipster of the Fifties. Carrying such useful motifs as horseshoes, four-leaf clovers and winning posts, the gar-

ments are on sale today at Academy Auctioneers in Ealing, London.

When it comes to price, however, the predictions fail. Because the sale of racing tipster's jackets has no precedent, the auctioneer Tony Dixon has no idea what they might fetch. If only Prince Monolulu, or Peter McKay as he was really called, could help. He has been dead for nearly 30 years.

SARAH JANE CHECKLAND

### GALLERIES: CRITIC'S CHOICE

● WILLI SOUKOP: Aged 87 the day the show opened, Soukop has been exhibiting regularly at the Royal Academy since 1935, and as his work in the last Summer Exhibition attested, is getting better and better. The drawings and sculptures currently in the Friends Room date mainly from the Thirties and Fifties, and show a variety of approaches within the same developing style, which abstracts mainly from the human figure. The eminence of some of his pupils — such as Anthony Caro and Elisabeth Frink — should not be allowed to leave the Soukop in the shade.

Royal Academy of Arts, Piccadilly, W1 (071-439 7538) daily 4-6pm, until February 13.

● CLIVE BARKER: One of the most striking figures in the British Pop Art explosion during the Sixties, Barker was one of the happier rediscoveries of the recent Pop Art Show at the RA. In Swinging London he was known primarily as a sculptor, but he was one of the best draughtsmen of the group, and his Sixties drawings are now full of resonances. There are tributes to Magritte and Jim Dine, there are Coke bottles, and there are two haunting depictions of false teeth in a glass.

Independent Gallery, 165 Draycott Avenue, SW3 (071-580 4755) Tuesday-Saturday 10.30am-6.30pm, until Feb 26.

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John Mortimer







# Elstree versus the raiders of a lost art

Geoff Brown

previews

tomorrow's

last-ditch

attempt to save  
what remains of  
a famous studio

The advertisement went out in October. "Final opportunity to acquire international renowned film and TV studios," the notice in the trade press read. Elstree studios, north of London, home to everything from Hitchcock's *Blackmail* (Britain's first talkie) to *Star Wars* and *Who Framed Roger Rabbit*, was up for sale.

To many industry observers the current owners, the leisure group Brent Walker, had been demonstrably itching to demolish the place for several years. Six stages and ancillary facilities had already been bulldozed when 12 acres were sold to the Tesco supermarket chain in 1990. A superstore now stands proudly on the site where much of British film history was made.

What remains at Elstree, once Britain's largest film complex, scarcely meets the standards of an "internationally renowned" studio, even in a recession. There is no canteen. The car park covers more square feet than the three small stages that survived the Tesco sale.

Purchase offers from the film and television industry were mounted for Elstree's rump, although negotiations apparently went nowhere. Hopes for survival now lie with Hertsmere Borough Council, knights in shining armour who have obtained a court hearing of the case against Brent Walker, scheduled for tomorrow.

The key to the council's case lies in a clause in Brent Walker's ownership deeds, which guarantees that some buildings on the Elstree site must be put to film or television use until 2015. If Hertsmere Council wins the High Court hearing, Brent Walker will be legally prevented from demolishing the remains or selling off the site to an unsympathetic developer.



Fifty years of Elstree, from *Madame Pompadour*, the silent film Herbert Wilcox made with Dorothy Gish on an unfinished studio city in Hertfordshire, to George Lucas's *Star Wars*, starring Alec Guinness

There are wider issues involved. One is historical. The loss of the present Elstree site (now 15.5 acres) would close the door on a record of film-making that stretches back through the *Indiana Jones* sagas to Kubrick's *Lolita*, Richard Tauber warbling in *Blossom Time*, all the way to 1926, when Herbert Wilcox made *Madame Pompadour* with Dorothy Gish at an unfinished studio city on 40 Hertfordshire acres.

Across the road, on a site most recently used by ATV and the BBC, the ghosts go back to 1914, when Percy Nash built the Neptune studios, the first British studios to use artificial light.

History, however, pales beside the importance of the British film industry's future. Brent Walker claimed in a press release last July that there was "demonstrably no demand" for the studio's facilities. Some would say that, offering a studio with no canteen, dubbing theatres or

cutting rooms, they were doing their utmost to make the statement self-fulfilling.

Certainly, other studios with better facilities find little problem securing work, when work is available. Shepperton is busy with Coppola and Branagh's starry production of *Mary Shelley's Frankenstein*; and other big-budget ventures, like Sylvester Stallone's comic-strip spin-off *Judge Dredd*, are being pencilled in.

Over at Pinewood, Neil Jordan's *Interview with a Vampire* is expected imminently after location work, while set construction is well under way for Stephen Frears's *Mary Kelly*. There seems little doubt that the revitalised, upgraded Elstree site could attract similar business in the future.

Yet an upgraded Elstree would hardly be the Elstree of old, the "British Hollywood" of the publicity men. The character and purpose of a modern studio has changed

enormously since Stewart Granger, Elizabeth Taylor, Anna Neagle and Diana Dors clocked in for work; and, as we prepare to grow misty-eyed over Elstree's possible fate, these differences should be borne in mind.

Develop schools of film-making: Ealing's comedies, Hammer's horrors (produced at Bray), Korda's international spectacles at Denham. And even the dullest potboiler served a creative purpose if it helped nurture the directors, editors,

## A superstore now stands proudly on the site where much of British film history was made

The value and curse of the old studio system lay, more than anything, in the continuity of product, and the continuous employment of salaried technicians. Since a sage lying idle did nothing for the studio's overheads, too many British films, in the 1930s and 1950s especially, were made simply to fill space, or work off a star's contract.

But continuous production also meant studios could de-

cameramen and designers of the future.

Take the career of Elliot Scott, one of British cinema's most gifted backroom boys, who died last October. He began in the 1930s as a lowly art department apprentice at Lime Grove studios (recently bulldozed), doing everything from sharpening pencils to serving tea. Twenty years later he was head of MGM's Elstree art department, an

acknowledged master at designing the elements of fantasy and overcoming technical challenges.

When MGM abruptly pulled out in 1970, he marched onwards as a freelance into the arms of Steven Spielberg, acting as production designer for two Indiana Jones adventures and the mixed-media carnival of *Roger Rabbit* (all made at Elstree). Scott learnt everything he knew within British studios, and it is talents like his that have put this country's film craftsmen at the top of the league.

In a perfect world it would be wonderful if film-makers still had a British studio to call home, a place in which to train and experiment. But practical realities make this a fond dream, and the Elstrees or Ealings of the past, the empire strongholds of movie moguls, cannot be duplicated in 1994.

Too many things have changed. A few old-timers may still have their parking

spots, but the buildings have no guiding spirit, no aura of glamour; they are simply spaces for rent. To avoid the burden of overheads, most studios have now relinquished their permanent staff, each production will hire technicians as required.

Rising costs have driven some projects out of conventional studios into abandoned factories or any available wide, empty space; others find refuge in the studio facilities now available, more cheaply, in central Europe.

Film-making fashions have brought further changes. Well into the 1950s, studios were called upon to replicate every kind of environment, from fishermen's cottages to the Palace of Westminster. But most projects and directors now demand extensive location work and the thrill of the real: the days when the camera never advanced beyond the studio back lot are long gone.

In the modern film studio,

cinema work takes its humble place alongside commercials, television series, music videos: these are the studios' bread and butter. A big-budget film, once secured, can keep a studio humming for months, especially if special effects work is involved; but any studio that depends on them unduly exposes itself if a project is cancelled or delayed.

Big-budget films, in this day and age, also mean American films, like *Mary Shelley's Frankenstein*; vital for employment of the workforce, of course, although they delay any redevelopment of a strong, indigenous British cinema.

So should we mourn if worst comes to worst and Elstree falls? We should do more than mourn: we should gnash our teeth at the unnecessary loss of a studio and a historical site that could still play a vital role in the industry's future. But no one in the current battle should cry nostalgically over a past that cannot be reclaimed.

## CONCERTS

### Solo genius overcomes the state of play

IF anyone else had come to Symphony Hall offering a Mozart divertimento and cello concerto by Haydn and Boccherini — the latter, according to the programme, in the travesty arrangement by Friedrich Grützmacher — they would have attracted little interest.

Fortunately, although Mstislav Rostropovich and the English Chamber Orchestra were assured of a good audience, they too were unhappy about the way the concert was put together. Not so fortunately, the adjustments were made at the last minute, announcements of the changes were issued with less than 10 minutes clarity and with only one item coinciding with its place in the printed programme, there was general uncertainty about what was going on.

Anyway, after the ECO had played through the first three movements of the Divertimento in D, K.334, the next item was not Haydn's Cello Concerto in C nor even the Boccherini/Grützmacher

ECO/Rostropovich  
Birmingham

Concerto in B flat. It was Boccherini's Concerto in D, directed from the cello by Rostropovich, awkwardly attempting to communicate with instrumentalists behind him and adding little of value to what the orchestra was clearly going to do anyway.

But, of course, as soon as he started playing, with that finely focused sound of his so clearly and elegantly poised in the acoustics of the Symphony Hall, musical questions of identity and authenticity were of little relevance.

Admirable though the Boccherini performance was, in terms of agility and neatly turned phrasing, the more rewarding experience was associated with Haydn's Cello Concerto in C (in spite of the plainly over-ambitious first-movement cadenza). There is nothing like the Adagio of the Haydn anywhere in Boccherini and there is no one like



Mstislav Rostropovich in familiar pose, combining the roles of soloist and conductor

Rostropovich in a slow movement, with a sustained line susceptible to those minute variations in colour which can enhance its melodic shape and expressive content.

The other soloist in the concert, in that she had much to do in the second half of the Mozart divertimento, was the

ECO leader Stephanie Gonley. Whether the idea of dividing that work between the two halves of the programmes was or was not a satisfactory solution to the structural problems presented by a long divertimento and two short concertos, the solo violin playing was impeccable and the

string ensemble only marginally otherwise.

Any lingering doubts about the propriety of the concert were put to rest by Rostropovich's masterful encore performance of the Sarabande from Bach's Suite in D minor.

GERALD LARNER

## FRINGE THEATRE: Kate Bassett on a hit and a miss

### All mouth and trousers

Tales of  
Frauclinn Pollinger  
Etcetera, NW1

BEST-known in England for *Tales from the Vienna Woods*, Odon von Horvath was, although he suffered Nazi persecution and died before he was 40, a highly successful and prolific playwright. It may therefore seem curious that Traugott Kischke should have felt the need to convert Horvath's non-dramatic writing into a stage piece.

Although reflecting Horvath's view of life as episodic, Kischke's *Tales of Frauclinn Pollinger* might be judged somewhat uniform, consisting simply of dialogue between the female protagonist and a string of self-interested, aggressively loquacious males who assume rights over her body.

Yet one hardly notices this during Theatre Box's highly professional production. The company, using Ian Huish's translation, bring out the delightfully comic and satirical elements in this story of a Munich dressmaker's fall into selling her body, exploited by morally depraved social superiors. Horvath's contemporary pertinence (unemployment, anti-Semitism, corrupt capitalism and hypocritical masks of decorum) cuts sharply through the handsome period costumes.

The design, although extremely impressive, might be a lot less sanitary; the opening scene is shaky, and Annie Fitzmaurice does not always pull off her lines. However, when Pollinger takes to modelling, she is beautifully relaxed in nothing but baggy pink stockings; part-martyred saint, part-prostitute.

In fact Bill Sheridan's production rapidly soars towards excellence. His cast, a menagerie of large-mouthed squat men, give one outstanding cameo performance after another.

Jon Atkins (Kafener), creeping into Pollinger's bedroom, toad-bellied in a thermal vest and dripping with Brylcreem, is the incarnation of a slimeball. He whispers his threats and temptations disgustingly gently. Robert Wilby

(Lachner the painter), is as ridiculous as he is repulsive, reciting poetry as if he has been pickled in high culture, then manhandling Pollinger into the perfect aesthetic pose. Ian Jeff (Priegler) is absurdly aristocratic, drawing his way obviously through a completely one-way conversation, while Christopher Myles (Wondruschka the pimp) is gruesomely lascivious and cold-hearted, dwarfed by Pollinger yet twisting her viciously round his little finger.

This Other Eden  
Duke of Cambridge

IN only three years as a professional playwright, Paul Sirett has topped up an impressive number of awards. Back in 1990, *Vissi d'Arte* was a winner at the New London Radio Playwrights' Festival and the 'New York International Radio Festival. *Worlds Apart*, staged at the Theatre Royal, Stratford East, was named Thames TV Best New Play in 1993.

His current comedy is another matter. *This Other Eden*, first transported to the Edinburgh Festival by Abacus Arts Theatre Company and now at the Duke of Cambridge pub theatre off Kenish

Town Road in darkest NW5, looks horribly like theatregoers' purgatory.

The story follows an apparently top-class string quartet travelling round the British Isles. Unfortunately, director Adrian Middleton's staging is distinctly second-rate. Gregory Campbell stands out as the angry, annoying Glaswegian Gordon. However, some of the other acting makes you squirm and the set-changes go so unnecessarily *lento* you want to scream.

The members of the Eden Quartet hardly act professionally; pawing a Stradivarius as a prank; sleeping with each other; stamping on irreplaceable instruments; and holding secret auditions for a new violinist. Sirett himself was a musician yet, even allowing for comic exaggeration, his characters' behaviour seems irksomely unbelievable.

Moreover, *This Other Eden* feels structurally inharmonious and scrappy. Sirett, curiously touring the obviously un-United Kingdom, appears to be just ticking off topics from Belfast's Troubles to immigrants fleeing Nazi persecution. Take a Scotswoman, an Irish woman, an English woman and a Jewish man who thinks he's Welsh. Such a formula is, for a full-length play, a bit of a joke.

### Kelly stands out in a talented nursery

PLG Young Artists  
Purcell Room

pitch range made complex and beguiling by the sustaining pedal.

Finally, Balakieets, a persuasive and strong player, tackled her compatriot Viktor Suslin's Sonata of 1968, a free-sounding work full of tough, energetic counterpoints as well as moments of telling stasis.

For the later concert there was a change of artist. The mezzo-soprano Sara Fulgoni withdrew under doctor's orders, so the Hong Kong-born pianist Lisa Loh heroically stepped in at the eleventh hour. Loh's major contribution was Dutilleul's Sonata of 1946, a work whose many attributes do not include conciseness. She played it well, with bold splashes of colour and a

pleasing sense of spontaneity, impetus and cogency.

In Messiaen's *Le Baiser de l'Enfant Jesus* perhaps a greater sense of wonder was needed, though François Morel's *Etude de Sonorité No 2* (1954) was given with real virtuoso dazzle.

If any artist needs the PLG series to launch a career, it is definitely not Jonathan Kelly, who, with his splendidly positive pianist Alison Procter, shared the evening recital with Loh. He recently landed the plum job of principal oboist with the City of Birmingham Symphony Orchestra. One could hear why. His playing oozes star quality; plenty of confidence, a beautiful tone, impeccable control and

an innate ability to communicate with his audience.

Some of the music he played was less impressive. Paul Patterson's *Duo-logue*, Op.49, is well-crafted but strictly functional; a clever piece de concours. And Richard Rodney Bennett's *After Syntax I*, whose departure point is Debussy, similarly reveals a composer who finds the creative process just too easy, although it contains some luscious things.

Continuing on the mythical tack set by the Bennett, Kelly went on to give the first performance of Jonathan Dove's *Music for a Lovelorn Lenashree*, specially commissioned for this concert. A Lenashree is a fairy mistress, and Dove uses the Irish folksong "My Lagan Love", where he found this reference, as the basis for a minimalist dance-piece, catchy yet also lyrical. Finally there was Thea Musgrave's *Niobe* for oboe and tape, a PLG commission from 1987 in whose evocative magic Kelly rightly revelled.

STEPHEN PETTITT

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PAGE 19

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Further information and application forms can be obtained from JOHN HARRIS, quoting ref. PSD048T at Daniels Bates Partnership Ltd., Joseph's Well, Hanover Walk, Park Lane, Leeds LS3 1AB - (0532) 461671. Closing date for receipt of applications is Friday 21 January, 1994.

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## LAW

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# Gypsies face a new age

Laws on travellers could provoke a European Court conflict, Luke Clements says

What is a Gypsy? Not, according to a recent Court of Appeal ruling, a New Age traveller. In a decision with wide ramifications for all travellers as well as landowners and local authorities, the Court of Appeal created a new, narrow definition of a Gypsy which requires that he or she have a nomadic way of life but with a specific "purpose" in mind.

The courts had last grappled with trying to define a Gypsy in a case called *Wills v. Cooper* in 1967. At that time it was an offence for a Gypsy to camp on the highway without lawful authority, and Abraham Cooper had been so charged. Mr Cooper said he was not a Gypsy; indeed six months earlier the relevant court accepted that he was not.

Lord Justice Parker held that "a man might well not be a Gypsy on one date and yet be one on a later date"; the word meant no more than "a person leading a nomadic life with no, or no fixed, employment and with no fixed abode". Where, therefore, "being a Gypsy" rendered an individual open to prosecution, the court was prepared to adopt a wide interpretation.

The ruling led to the 1968 Caravan Sites Act, which places a duty on local authorities to provide adequate sites for Gypsies. The Act, in large measure, adopted Lord Justice Parker's wide and yet simple definition, by defining "Gypsies" as "persons of nomadic habit of life, whatever their race or origin".

The case in November, in which Mr Justice Harrison had to decide whether John Gibb was a Gypsy, Mr Gibb had lived a travelling life since 1979. While Abraham Cooper had been at pains to deny his Gypsy status (because it brought prosecution) Mr Gibb had no such reservation: the status now brought certain rights.

The judge decided that "Gypsy" must be given a much narrower definition. He considered that the word "nomadic" was not a simple one; it connoted not mere travel from place to place, but travel "with a purpose in mind".

One does not have to speculate about how the courts will tackle this unintended consequence. The Home Office "background note" accompanying the Queen's Speech confirmed that the Government is now to repeal the duty placed on local authorities to provide caravan sites for Gypsies. It also proposes, via the Criminal Justice Bill (which has its second reading today), to "strengthen the existing offence of aggravated trespass on land by New Age travellers".

The negative (designation) provisions are also, it seems, to be widened. While such legal contortions are taking place, the situation for those on the ground is bleak. Public Gypsy site construction — never a boom industry — is grinding to a halt. Despite the increasing rigour of the law, traditional and new traveller numbers continue, for whatever reason, to increase. It is a difficulty experienced by most European states.

Earlier this year, a Council of Europe recommendation emphasised the "special place among minorities reserved for Gypsies. Living scattered all over Europe, not having a country to call their own, they are a true European minority, but one that does not fit in the definitions of national or linguistic minorities".

Ultimately, it may be the European Court of Human Rights that puts a stop to such fancy legal footwork. In 1991, the Commission ruled inadmissible a complaint by a number of UK Gypsies which alleged that the cumulative effect of domestic legislation had been to make their nomadic life impossible. In so doing, the Commission had special regard to the fact that "since 1948 a series of Acts of Parliament and other developments have made life progressively more difficult for Gypsies"; nevertheless, giving the Government the benefit of the doubt, it considered that this had been ameliorated by the legal "duty upon local authorities to make adequate provisions for Gypsies in their area".

With the abolition of this duty and the imposition of yet harsher anti-nomadic laws, it is inevitable that the commission will be asked to reconsider the question.

● The author is a solicitor in private practice.



English Gypsies at the annual horse fair at Appleby-in-Westmorland, Cumbria

## Silence is golden in the search for truth

Suspects need a right to silence, says Robert Alexander QC (below)



Lord Alexander

Today, Parliament considers the proposals in the Queen's Speech for changes to the criminal justice system. The bill is debated amid great concern about crime. It is a concern of everyone, not just the better off. Tackling crime should be a one-nation issue.

The impetus for the Royal Commission on Criminal Justice was a deep malaise about wrongful convictions. By the time it reported, the penitentiary had swung to concern that the guilty were not being convicted or punished. Increasing numbers of people see the trial process as an adversarial game, cumbersome and inefficient, placing a premium on clever advocacy.

There is an urgent need to improve the pre-trial system so that the fundamental issues can be clearly put to the jury and so that the time of witnesses, victims, lawyers and police is not wasted by unnecessary adjournments or cases which collapse at the door of the court. Early plea and directions hearings, or pre-trial reviews in complex cases, would greatly assist the prosecution to set out its case and evidence fully before trial; and the defendant, properly advised, to outline the nature of the defence to the prosecution's case.

So, the right of silence should not be wholly sacrosanct. It is important that the outline of the defence case should be known in advance of a trial so that, from the start, the jury can be asked to focus on the disputes at the heart of the case. Only in this way will the trial process become truly more streamlined and fair.

But the Bill is not tackling this important issue. Instead it has challenged the right to silence at an earlier stage: in the police station. Yet the Royal Commission quite rightly rejected any proposal to erode the right to silence at an early stage. In particular, the Commission accepted the argument that to diminish the right of a suspect to

If the right to silence were eroded, those pressures would begin with the words of the caution. Suspects would have to be given a warning that they might expect judicial comment not only on their silence but also on their failure to disclose evidence which they later put forward as part of their defence. This is at a time when they may be unrepresented legally, will usually not know the case against them and may need time to collect their thoughts.

Nor are our concerns met by the idea that judges should be left with a discretion not to allow comments on a refusal to answer in circumstances where the suspect appeared vulnerable. Neither the suspect nor the police at the time of questioning will know whether a decision not to answer a question will be the subject of judicial comment at trial.

The real concern to deal properly with crime must be met in part by a more effective trial process. Society is entitled to expect the trial to be a search for truth. But the position at the police station is different and more complex. In the past, improper pressure at police stations has made juries reluctant to convict on police evidence. New police practices, recommended by the Royal Commission, are retrieving some of that ground.

There has been no evidence to contradict research findings that a suspect's silence has no significant effect on the chance of convicting the guilty. So there is no reason to reject the Royal Commission's recommendations that it would be both wrong and counter-productive to introduce a new and potentially frightening pressure on an accused to answer questions in the police station. Justice's 30-year experience of miscarriages of justice provides further cogent support for this view.

● Lord Alexander of Weedon is chairman of Justice, the law reform body.

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## LEWIS SILKIN

## Hostility to Bar charter

THE BAR Council has decided to apply to the Privy Council for a Royal Charter to celebrate its centenary year. But it may not have an easy ride. Before it decides to grant a charter, the Privy Council will advertise the application in the *London Gazette* and invite objections.

And if Neil Addison, an employed barrister newly elected to the Bar Council, has his way, it will get a flood. With the Bar Council steadfastly refusing to allow employed barristers to appear in the higher courts, he says: "I will be formally objecting to the Privy Council. I shall also contact all employed barristers in the country and ask them to do the same."

The Bar Council, however, does not seem too concerned. "It will be up to the Privy Council," says a spokesman, "but it may be that other employed barristers will petition in favour of the grant."

## OUTS

### Editor quits

AVID readers of *Legal Business* will be sad to learn that Karen Dillon, its editor, is leaving in March to return to the United States.

Having been at the forefront of a revolution in legal journalism in the UK over the last three years, she says: "It was a hard decision. But with new leadership and management I'm sure *Legal Business* will go on to bigger and better things." Ms Dillon is returning to the *American Lawyer* magazine as executive editor.

### Legal hash

HERE is a money-saving idea for the Lord Chancellor to kick off the new year. If the lawyers cause the collapse of a trial, why not make them pay out of their own pockets for the retrial?

If the Mississippi state su-

preme court has its way, the defence and prosecution lawyers may have to pick up the bill for the retrial of a case where their combined blunders led the court to overturn a conviction for possession of marijuana.

The justices gave a warning that there was no good reason why taxpayers should foot the bill for costly mistakes. Perhaps the lawyers themselves could be trusted to find a way to cut court costs if they are footing the bill.

### Neglected case

LINKLATER & Paines is in the unhappy position of finding itself a defendant rather than adviser in an action scheduled to start in the High Court today.

The firm is joint defendant with Warburgs in an £115 million claim brought by Yeoman International. The Irish

leasing group alleges it was given negligent advice during its £93 million acquisition of CLF, a British leasing company, in 1988.

For assistance, Linklaters has turned to Peter Goldsmith, QC, and Richard Jacobs, instructed by Barlow Lyde & Gilbert. "However," says Richard Tapsfield, Linklaters' litigation partner, "as we have a strong litigation practice we take more than a passing interest."

### Russia tries juries

JUST WHEN the Royal Commission on Criminal Justice has recommended limiting the ability of defendants to elect for trial by jury, the Russians are starting to experiment with the introduction of a jury system. A law passed in 1993 allows a defendant to opt for a jury trial. The first such trial since the Revolution has taken place in Saratov on the banks of the Volga River, where two Gypsies accused of a triple murder elected to be tried by 12 of their peers.

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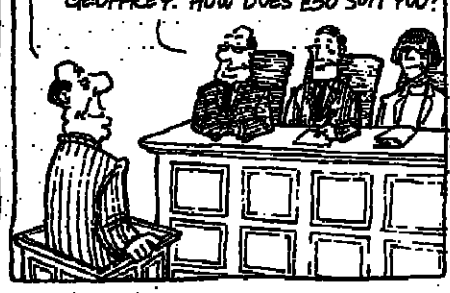
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- structuring, negotiation and implementation of international contracts eg. distributor/supplier contracts
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- co-ordination of group statutory compliance obligations
- advising management on legal issues/risks and liaison with external legal counsel

Applications are invited from individuals with at least two years' commercial contracts experience gained within industry. Although a formal legal qualification is not prerequisite, experience within the information/communications industry will be advantageous. Candidates must possess sound commercial judgement, a practical approach and be able to demonstrate the tenacity required to work successfully within a competitive industry.

This assignment is being handled exclusively by Simon Hankey on behalf of Robert Walters Associates. For further information, in complete confidence, please contact him on 071-379 3333 (confidential fax 071-915 8714), or write to him at 25 Bedford Street, London WC2E 9HP.

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Judges should not be blamed for prosecution failures in fraud trials, David Kirk says

Where does the blame lie for the recent string of lamentable results in fraud trials? Should it, as suggested in *The Times* by David Cocks, QC, prosecuting counsel in the *Levitt* case (Law, December 7, 1993), lie with the judges, or are there other people and organisations at whom the finger could be pointed?

Mr Cocks argued that some judges are not experienced in trying fraud cases, and make it difficult for the prosecution to present its case properly. In addition, their sentencing decisions, and manner of reaching them, are inadequate. There should be a roster of specialist judges who are specifically assigned to complex fraud cases, he said.

Some might wonder if there was more than a little of the unhappy workman blaming his tools in these complaints. The judge is only one of the parties, and all parties — prosecution, defence, judge and jury — have to pull their weight for the process to be satisfactory.

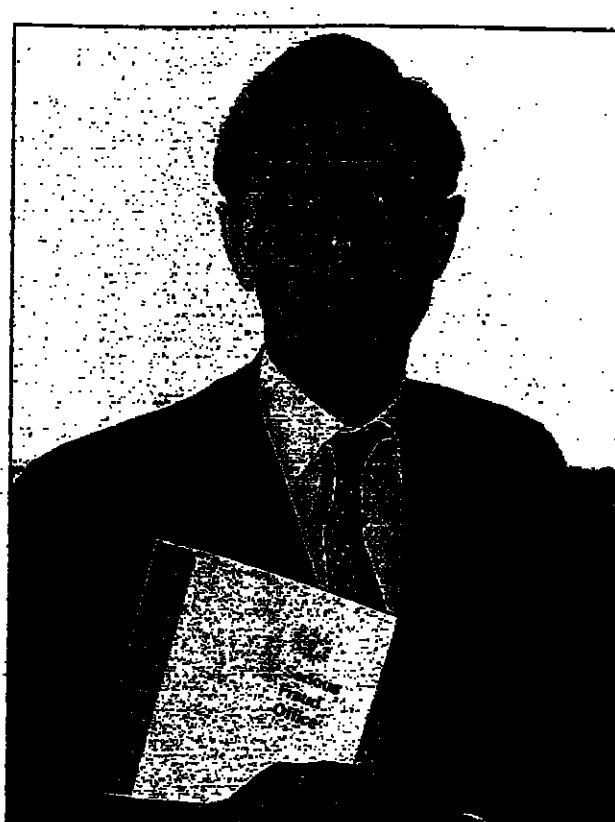
The case for creating a special list of user-friendly fraud judges should be acknowledged. They would have special training and substantial support. The Roskill fraud trials committee made recommendations along these lines in 1986.

For a fraud trial to be satisfactory, though, it must meet certain criteria over which the Serious Fraud Office (SFO) has exclusive control: it must bring a matter to trial as soon as possible, consistent with being thoroughly prepared. Thorough preparation requires clear tactical thinking, foresight, judgment, hard work, courage and, probably, luck. The SFO must be at least as well prepared as its opponents (probably more so), and must act fairly and openly, although the public would also expect it to be tough.

Nobody pretends that preparing a serious fraud case for trial is easy. Even with enhanced powers of investigation, the SFO, under the directorship of George Staple, faces formidable challenges in evidence gathering and interpretation. Its resources are not unlimited. It is a new department with only six years of



Roger Levitt, above, celebrates his light sentence, and, right, George Staple, the director of the Serious Fraud Office



## A serious case of injustice

experience of dealing with serious fraud cases, which means that it is well past its honeymoon period, but not fully "bedded in".

The SFO also relies on the commitment and experience of the leading counsel it appoints to head its team of barristers, in-house lawyers, accountants and police officers on each case. On counsel's shoulders lies the effective responsibility for ensuring an SFO case is properly handled.

Finally, where other prosecutors might point to acquittals as demonstrating the fairness of the system, the SFO is expected to win every case; an impossible target, given the difficulties of many of its cases.

Yet every time it fails (and it gives the impression of failing

more often than not in spite of its proclaimed conviction rate), the repercussions are widespread and serious. In recent months the failure factor appears to have had a draining effect on the SFO, and to have caused it to lose courage. It is now acquiring a reputation for accepting almost any plea, on almost any terms, to avoid the rigours of a trial.

In the light of the clear responsibilities of the SFO and its leading counsel, is Mr Cocks fair in inferring that inexperienced judges cause all the problems? He acknowledges that presiding over a serious fraud trial is an immensely difficult task. Mainly it tests the competence of all but the most skilful, intelligent, experienced and, in all

probability, cunning judges in the land. Fraud trials have often proved to be a graveyard for judges' reputations, and they certainly place them under enormous strain.

But what Mr Cocks seems to forget is that, like any other judge, the judge in a fraud trial has hardly any say in the way that the prosecution presents its case.

must be carved up into manageable portions. In the *Blue Arrow* case, the judge forced an extremely reluctant SFO to prune its indictment, and the trial still lasted for a year. If the SFO had had its way, the trial would probably be continuing even now.

The SFO frequently appears to refuse to accept these realities, and offers no help to the judge in dealing with them. It seems to view the judge as the enemy and, if a case fails, too often places all the blame on him, ignoring the fact that how it prepares and presents the case is the major determining factor in its ultimate success or failure.

Instead it should examine its own procedures, and consider in each case, as a matter of priority, how to encapsulate all relevant evidence into manageable proportions and present a comprehensive case which is not exhaustive. If it replies that it does this already, then the verdict is that it has failed, too often, to do the job properly.

● The author, a partner at Stephenson Harwood, was defence lawyer in the *Levitt* case

## A few predictions for the legal year ahead

**January**  
Lawyers celebrate one side-effect of the recession: not having to pay income tax on January 1.

**February**  
Solicitors panic over legal aid franchising proposals. While the Legal Aid Board has said that everyone will be eligible for a franchise, the Lord Chancellor has said that only one franchise will be necessary in each area. He refuses to be drawn on whether England and Wales constitute one or two areas.

**March**  
The Law Society announces the discovery of a sole practitioner who is not engaged in mortgage fraud.

**April**  
A newly-promoted QC receives a letter from the Lord Chancellor explaining that his appointment was a mistake. "We cannot just overlook this," protests one of the Lord Chancellor's officials as he confiscates the victim's silk gown in front of his sobbing mother. He denies that many judges are appointed by mistake.

**May**  
Controversy continues over Group 4's record in letting prisoners escape. The company is defended by a Treasury spokesman. "It's much cheaper to let Group 4 look after prisoners rather than just lock them up."

**June**  
The Lord Chief Justice vigorously defends his right to speak out on matters of public interest. Talking on the *Jimmy Young* programme, he denies that it has been difficult to find suitable candidates for the 30 vacant High Court judgeships. "The card was only in the Temple Jobcentre window for a matter of days," he explains before giving the recipe for the day: porridge.

**July**  
A Royal Commission on Criminal Procedure reports

**Patrick Stevens**  
looks into his  
briefcase to  
reveal what the  
future holds



with 17,349 detailed proposals. These range from repainting the jurors' room at Snarebrook Crown Court to abolition of jury trial for those at the bottom of the social heap. At a press conference, anxious journalists are assured that they will still have the right to jury trial.

**August**  
The High Court has trouble starting on time because of the demands for senior judiciary to appear on breakfast television. Judges so dominate *Have I Got News for You* that minor comics and failed politicians are unable to get a look in. One Old Bailey trial is halted when it is found that the judge's Equity card has lapsed. There is an unpleasant scene in the High Court when the judge accuses counsel of stealing his best lines. The motto of the Chancery Division becomes: "There's no business like slow business".

September

A Treasury proposal that the pay of magistrates be frozen comes to nothing when it is discovered that they are not paid. The Lord Chancellor is relieved not to be hissed and booed at the Magistrates' Association annual conference. He refuses to be drawn on the experience of being pelted with eggs.

**October**  
Lord Woolf's idea that people be punished for allowing their property to be stolen and for some drugs to be legalised has come to fruition. The Judicial Studies Board has come up with a tariff of penalties for victims of crime. Sub-postmasters and bank employees who create temptation by holding money are to receive immediate custodial sentences.

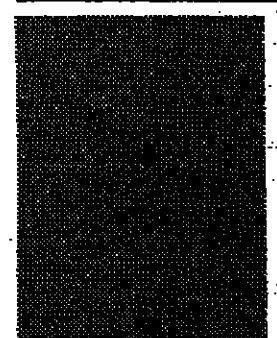
**November**  
The presence of so many High Court Judges on television has a salutary effect on interviewers after Jeremy Paxman receives a 15-year sentence for contempt. John Humphrys is reduced to asking interviewees to list their 50 greatest achievements.

Some commentators accuse judges of abuse of power when they extend the doctrine of judicial review to their scores on *A Question of Sport*. Their power to issue injunctions on the spot makes them feared rivals on quiz programmes.

**December**  
The Director of Public Prosecutions, who complained last year that questions were slanted in a survey which found most Crown Prosecutors had no confidence in senior management, conducts her own survey. She asks the neutral question: "Do you want to spend Christmas on the dole for criticising senior management?"

● The author is a practising solicitor

## LONDON/PROVINCES



**GARFIELD ROBBINS**  
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### PROPERTY LITIGATION

**Partner** £100,000  
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Our client, a small/medium sized City firm which has recently undergone considerable expansion, seeks a partner with a small following to join their Company/Commercial Department. Management experience and client development skills are vital as the successful applicant will be promoted to head the department in the medium/short term. Excellent opportunity to join this friendly, profitable practice.

### BANKING LITIGATION

**1 to 2 years qualified** Manchester  
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### COMPANY/COMMERCIAL

**5 to 5 years qualified** Midlands

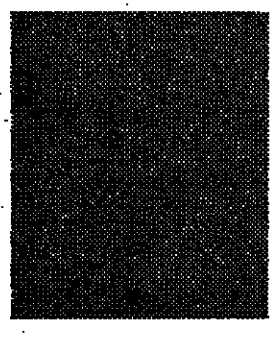
Major regional practice with a recognised reputation seeks a solicitor to assist with an existing commercial practice including partnerships, general company work, commercial contracts, M & A and a general knowledge of pensions, corporation and capital taxes. Candidates should have marketing and good client skills. Long term partnership prospects are available.

### COMMERCIAL LITIGATION

**6 to 10 months qualified** Manchester  
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It is the policy of Masons only to appoint candidates who show partnership potential.

For further information, please contact Nicholas Robbins in complete confidence on 071-628 8400 (or 0374 165 289 evenings/weekends) or write to him at Garfield Robbins, Moor House, 119 London Wall, London EC2Y 5ET. Confidential fax: 071-628 9001. All direct applications will be forwarded to Garfield Robbins.

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We are looking for a lawyer with sound commercial and business instincts, and experience/knowledge of contract, banking and insurance law. Knowledge of public law would be a distinct advantage. Good communication and management skills are also essential. Salary range will be between £48,589 and £57,612 inclusive of London Weighting depending on qualifications and experience. Relocation assistance may also be payable.

To discuss this post phone Tom Jaffrey on 071-512 7731.

For an application form write to the GLS Recruitment Team, Queen Anne's Chambers, 28 Broadway, London SW1H 9JS, or phone 071-210 3304. Completed application forms must be received by 4 February. Interviews will take place during the week commencing 28 February 1994.

ECGD is an equal opportunities employer.





## Forward with sizable talent for scoring

Steve Bull, the Wolverhampton Wanderers and former England striker, could be out of action for three weeks after damaging ankle ligaments during the FA Cup victory over Crystal Palace on Saturday.



**Romario, a midget among might and muscle, keeps Sanchis, the Real Madrid captain, at arm's length at the Nou Camp on Saturday**

## Overseas Football

Lineker remains a Catalan hero for the way he coolly stole a hat-trick against Real Madrid. Romario endears himself further by the way he caresses the ball and has created beauty out of the striking instinct.

**It takes a manager of rare courage, or insight, to employ him. Johann Cruyff, his manager at Barcelona, paid \$4 million to relieve PSV Eindhoven of Romario last summer. At Barcelona, he has liberated the Brazilian.**

The rout of Real was completed by a penalty from Raul Koeman in the 48th minute and Romario once more laid on a final goal for Ivan Iglesias to equal the score by which Barcelona overpowered Real in 1944. The Madrid team has had the better of things for the past 50 years, but empowered by foreigners, Di Stefano and Puskas, and latterly by the Mexican

Carlos Alberto Parreira, the Brazilian manager, has been reluctant to trust Romario and may not have done so had Brazil itself come almost to the brink of elimination during the qualifying tournament. Thank heavens in Cruyff and in Manchester United's Alex Ferguson, who similarly trusts the instincts of Cantona, there are men not only willing to employ natural players, but with the courage to leave talent well alone.

By DAVID POWELL  
ATHLETICS CORRESPONDENT

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**ICE SKATING**

**DETROIT:** United States Figure Skating Championships: Women: Technical program, 1. Michelle Kwan 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 2.0, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 3.0, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 4.0, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 5.0, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 6.0, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 7.0, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 8.0, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 9.0, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 10.0, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 11.0, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 12.0, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9, 13.0, 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9, 14.0, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 15.0, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9, 16.0, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 16.7, 16.8, 16.9, 17.0, 17.1, 17.2, 17.3, 17.4, 17.5, 17.6, 17.7, 17.8, 17.9, 18.0, 18.1, 18.2, 18.3, 18.4, 18.5, 18.6, 18.7, 18.8, 18.9, 19.0, 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 20.0, 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 20.7, 20.8, 20.9, 21.0, 21.1, 21.2, 21.3, 21.4, 21.5, 21.6, 21.7, 21.8, 21.9, 22.0, 22.1, 22.2, 22.3, 22.4, 22.5, 22.6, 22.7, 22.8, 22.9, 23.0, 23.1, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 23.8, 23.9, 24.0, 24.1, 24.2, 24.3, 24.4, 24.5, 24.6, 24.7, 24.8, 24.9, 25.0, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 26.0, 26.1, 26.2, 26.3, 26.4, 26.5, 26.6, 26.7, 26.8, 26.9, 27.0, 27.1, 27.2, 27.3, 27.4, 27.5, 27.6, 27.7, 27.8, 27.9, 28.0, 28.1, 28.2, 28.3, 28.4, 28.5, 28.6, 28.7, 28.8, 28.9, 29.0, 29.1, 29.2, 29.3, 29.4, 29.5, 29.6, 29.7, 29.8, 29.9, 30.0, 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 30.7, 30.8, 30.9, 31.0, 31.1, 31.2, 31.3, 31.4, 31.5, 31.6, 31.7, 31.8, 31.9, 32.0, 32.1, 32.2, 32.3, 32.4, 32.5, 32.6, 32.7, 32.8, 32.9, 33.0, 33.1, 33.2, 33.3, 33.4, 33.5, 33.6, 33.7, 33.8, 33.9, 34.0, 34.1, 34.2, 34.3, 34.4, 34.5, 34.6, 34.7, 34.8, 34.9, 35.0, 35.1, 35.2, 35.3, 35.4, 35.5, 35.6, 35.7, 35.8, 35.9, 36.0, 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8, 36.9, 37.0, 37.1, 37.2, 37.3, 37.4, 37.5, 37.6, 37.7, 37.8, 37.9, 38.0, 38.1, 38.2, 38.3, 38.4, 38.5, 38.6, 38.7, 38.8, 38.9, 39.0, 39.1, 39.2, 39.3, 39.4, 39.5, 39.6, 39.7, 39.8, 39.9, 40.0, 40.1, 40.2, 40.3, 40.4, 40.5, 40.6, 40.7, 40.8, 40.9, 41.0, 41.1, 41.2, 41.3, 41.4, 41.5, 41.6, 41.7, 41.8, 41.9, 42.0, 42.1, 42.2, 42.3, 42.4, 42.5, 42.6, 42.7, 42.8, 42.9, 43.0, 43.1, 43.2, 43.3, 43.4, 43.5, 43.6, 43.7, 43.8, 43.9, 44.0, 44.1, 44.2, 44.3, 44.4, 44.5, 44.6, 44.7, 44.8, 44.9, 45.0, 45.1, 45.2, 45.3, 45.4, 45.5, 45.6, 45.7, 45.8, 45.9, 46.0, 46.1, 46.2, 46.3, 46.4, 46.5, 46.6, 46.7, 46.8, 46.9, 47.0, 47.1, 47.2, 47.3, 47.4, 47.5, 47.6, 47.7, 47.8, 47.9, 48.0, 48.1, 48.2, 48.3, 48.4, 48.5, 48.6, 48.7, 48.8, 48.9, 49.0, 49.1, 49.2, 49.3, 49.4, 49.5, 49.6, 49.7, 49.8, 49.9, 50.0, 50.1, 50.2, 50.3, 50.4, 50.5, 50.6, 50.7, 50.8, 50.9, 51.0, 51.1, 51.2, 51.3, 51.4, 51.5, 51.6, 51.7, 51.8, 51.9, 52.0, 52.1, 52.2, 52.3, 52.4, 52.5, 52.6, 52.7, 52.8, 52.9, 53.0, 53.1, 53.2, 53.3, 53.4, 53.5, 53.6, 53.7, 53.8, 53.9, 54.0, 54.1, 54.2, 54.3, 54.4, 54.5, 54.6, 54.7, 54.8, 54.9, 55.0, 55.1, 55.2, 55.3, 55.4, 55.5, 55.6, 55.7, 55.8, 55.9, 56.0, 56.1, 56.2, 56.3, 56.4, 56.5, 56.6, 56.7, 56.8, 56.9, 57.0, 57.1, 57.2, 57.3, 57.4, 57.5, 57.6, 57.7, 57.8, 57.9, 58.0, 58.1, 58.2, 58.3, 58.4, 58.5, 58.6, 58.7, 58.8, 58.9, 59.0, 59.1, 59.2, 59.3, 59.4, 59.5, 59.6, 59.7, 59.8, 59.9, 60.0, 60.1, 60.2, 60.3, 60.4, 60.5, 60.6, 60.7, 60.8, 60.9, 61.0, 61.1, 61.2, 61.3, 61.4, 61.5, 61.6, 61.7, 61.8, 61.9, 62.0, 62.1, 62.2, 62.3, 62.4, 62.5, 62.6, 62.7, 62.8, 62.9, 63.0, 63.1, 63.2, 63.3, 63.4, 63.5, 63.6, 63.7, 63.8, 63.9, 64.0, 64.1, 64.2, 64.3, 64.4, 64.5, 64.6, 64.7, 64.8, 64.9, 65.0, 65.1, 65.2, 65.3, 65.4, 65.5, 65.6, 65.7, 65.8, 65.9, 66.0, 66.1, 66.2, 66.3, 66.4, 66.5, 66.6, 66.7, 66.8, 66.9, 67.0, 67.1, 67.2, 67.3, 67.4, 67.5, 67.6, 67.7, 67.8, 67.9, 68.0, 68.1, 68.2, 68.3, 68.4, 68.5, 68.6, 68.7, 68.8, 68.9, 69.0, 69.1, 69.2, 69.3, 69.4, 69.5, 69.6, 69.7, 69.8, 69.9, 70.0, 70.1, 70.

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 15-14, 15-14; H. Hatcher and A  
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 15-14, 15-14, 15-14, 15-14, 15-14  
 and 15-14, 15-17.

**WILSON COUNTY (Dartley and**  
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**THE ~~WALL~~ TIMES**

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**OTHER SPORT**  
 Football: British League; First  
 Division League; Welsh League

Location	Altitude (m)	Wind	Temp (°C)	Humidity (%)	Cloud (%)	Wind Dir	Temp Dir	Humidity Dir	Cloud Dir	Wind Speed (km/h)	Temp Speed (km/h)	Humidity Speed (km/h)	Cloud Speed (km/h)
LUSTRIA	0	30	worn	varied	good	sun	6	41					
	(Worn slopes everywhere but very close to forest)												
Leibniz	25	50	good	varied	fair	sun	1	51					
	(Good skiing on upper slopes)												
Mayhofen	0	50	fair	varied	good	sun	0	21					
	(Good skiing on most runs on Penken and Garmg)												
schladming	30	120	fair	heavy	worn	fair	0	41					
	(Upper slopes good, icy patches lower down)												
St. Anton	70	70	fair	varied	good	line	-2	41					
	(Good skiing from mid-station and above)												
	50	200	fair	varied	icy	line	3	41					
	(Piste becoming worn and icy lower down)												
FRANCE													
Chamonix	130	220	good	varied	good	snow	2	101					
	(Good skiing to be found in all areas)												
Le Moriz	140	180	good	varied	good	snow	-1	71					
	(Excellent skiing on various exposed pistes)												
Plagne	155	320	good	varied	good	cloud	2	51					
	(Very good skiing with excellent snow)												
Valgave	50	140	good	varied	good	cloud	1	71					
	(Excellent skiing in all areas, pistes are empty)												
Chavalier	80	250	good	varied	good	snow	0	101					
	(Snow conditions superb on and off piste)												
St. Theres	150	350	good	cust	good	fair	-1	101					
	(Fright nights causing problems, rocky skiing)												
SWITZERLAND													
Costers	40	130	good	varied	good	fair	1	31					
	(Excellent skiing on Gotschna and Persenn)												
Montiz	110	170	good	powerful	good	cloud	1	101					
	(Excellent skiing throughout resort)												
St. Moritz	40	320	good	varied	fair	cloud	5	71					
	(Good skiing on and off piste)												
Engel	45	150	good	cust	fair	cloud	5	41					
	(Good skiing though icy patches lower down)												
Engen	10	30	good	varied	good	line	3	91					
	(Reasonable skiing on piste above 1,500 metres)												
Formel	90	230	good	powerful	fair	cloud	0	71					
	(Good skiing in all areas through light rather fast)												

**THE TIMES**

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## England need to build on win over All Blacks

By DAVID HANDS  
RUGBY CORRESPONDENT

LIKE wallflowers at a dance, England will sit out the first round of the five nations' championship on Saturday. Instead, the players meeting at Richmond this weekend will study a video-recording of the Wales v Scotland game in Cardiff and assess what faces them when they trek north to play the Scots on February 5.

Whatever the bookmakers say — England are 11-10 for the championship against odds of 6-5 on France — the players will be reminded that the victory over New Zealand nearly seven weeks ago can be consigned to the history books. "That will be very quickly forgotten if we don't perform in the five nations," Will Carling, the England captain, said.

The major challenge is to avoid thinking "been there, done that". There are a lot of young men in this England squad who want to achieve something in the championship and they have the potential. They are athletic and able. But there is a lot of work to be done.

Carling, eager to deflect pretensions of favouritism, believes France are equipped to win the grand slam and named Ireland as his dark horses. Indeed, the French, who play Ireland at the Parc des Princes, have done as they did a year ago and selected a side that England respect.

Under Pierre Berbizier, they are developing the same consistency that has characterised English selection of the last six years.

Curiously, the Parc will host two big sporting occasions within 24 hours, since Paris Saint-Germain are due to play Marseille in a football match on Friday evening, the result of adjustments to the French league schedule after the national side's failure to reach the World Cup finals. It is as well for the playing surface, perhaps, that the football precedes the rugby and not vice versa.

Jim Fleming, Scotland's leading referee, will handle the France v Ireland game, while Patrick Robin — by some distance the best French official — will look after Wales v Scotland in Cardiff.

The Welsh will need little reminding that in the last 12 years, Scotland have done as well at Cardiff as the hosts themselves and, with a better-balanced side than that which lost 51-15 to New Zealand in November, will hope to reduce the odds of 20-1 on their winning the championship. Wales are on offer at 40-1.

# Saturday man from Sunday's Well

In the first of four profiles of the players who will be the open-side flankers in the opening round of five nations' championship games,

David Hands talks to Ken O'Connell, who will be making his debut for Ireland in Paris

It was meant to be. His father, Des, was a tidy flanker, his brother, Brian, plays in the back row for Sunday's Well and even his youngest brother, Eoin, is a flanker at 13. That Ken O'Connell should become an international flanker seems only like nature at work.

The circumstances preceding his selection last weekend, however, were far from natural. The initial build-up was direct from the textbook. Born in Cork, educated at the famed Presentation Brothers School, Irish Schools caps (alongside Paddy Johns, now a colleague once more) and a tour to Australia, under-21 appearances (and the captaincy) and Ireland's Under-25 side. Then, limbo. A recurring shoulder injury forced O'Connell out of the game and on to the operating table, a two-year absence which ended only last season when he returned to play a handful of league games for his club.

That he has forced his way back into the vision of the selectors is a tribute to the man and his mentors, though at 4.30pm on the day of the Irish trial, O'Connell did not think so.

Having been dropped by Munster earlier in the season, he had not been an original choice for the trial and knew only two days before that he was to play on the Blues, the junior side, at blind-side flanker, his club position.

"I thought I was doing fairly well, then Brian Rigney went off injured and Steve Jameson came on, with a message from the selectors that I was to switch to the open side," O'Connell said. "I thought my chance had gone when I switched, but it was the complete opposite. It's all I ever dreamed of."

That he is a compromise choice will hardly matter. Neither Denis McBride, the incumbent, nor Pat O'Hara were available because of injury and Brian Robinson, a natural No. 8, did not fit the bill, so it is O'Connell who comes through to bear out the promise recognised by, among others, Wayne Shefford, against whom

O'Connell played for Munster when New Zealand toured Ireland and Wales in 1989. Shefford, then the All Blacks' captain and No. 8, noted after his side's 31-9 victory how the young Munster open side would keep coming back for more.

Another New Zealander, Murray Kidd, who is now the coach to the Sunday's Well club, puts it another way: "He is incredibly hard, he has no regard for his body whatsoever," he said.

Indeed, O'Connell cites as his worst moment in rugby having to leave the field injured against the All Blacks.

It was Kidd who suggested that O'Connell, 25 and a representative for a medical equipment company, would never make it at blind side but that, as an open-side flanker, he could go all the way. "He's always right," O'Connell said cheerfully. "I haven't the height for blind side, but I'm quick enough for open side and Murray's been a great help to me."

At 6ft 2in and 15st 7lb, O'Connell has a greater physical presence than McBride and is heavier than O'Hara, his former colleague at the Well. "He has good ball skills and he's one of the strongest runners with the ball in Ireland," Kidd said.

"One of the problems Ireland had with McBride was that though he would tackle anything, when he had the ball in hand it was an invitation to go backwards at 100mph because of his size. Ken can get the ball and set up rucks and when he tackles people, they stay tackled."

"He will have to change his lines of running, where to go and what to do, and when the ball goes wide, he will have to think about his angles, but at least Paris in January should be a different matter to Paris in March or April. One thing I have found about Ken is that he is keen to learn, the Irish selectors are pretty organised and, if he's told where to go in the defensive pattern, he'll do it without question."

Kidd, with a small pack of forwards at Sunday's Well, has concentrated on keeping



O'Connell watches his forward colleagues join a ruck at the national training session last weekend

the ball alive, so O'Connell has been able to prosper there as a runner.

Yet is not the jump from second division of the All Ireland League to the first division of northern-hemisphere rugby somewhat intimidating? "Look, the highlight of my career so far was the match against the All

Blacks, the best in the world, and I loved the whole atmosphere of it," O'Connell said.

"I know a lot of good players have been dead and buried at the Parc des Princes, but the bigger the stage the better I think I can play. I love the thought of playing at the Parc. I'll have no problem." If

O'Connell's buoyant optimism is born out, then a new vista opens up this year, not least a return to Australia with the senior side this summer, the country he toured seven years ago as a schoolboy.

Since then, he has visited Malaysia with the Penguins and California with the Public

School Wanderers, but a national tour is a world away from overseas trips made by such invitation clubs. O'Connell would aim to make the most of it.

Mark Perigo of Wales

## Struggling Crusaders pin hopes of rescue on Robson

By CHRISTOPHER LEVINE

AS WELL as the Wales football team, Bobby Robson, the former England manager, is emerging as the possible saviour of another troubled sporting cause, that of London Crusaders rugby league club. Robson is being linked to an imminent takeover by a consortium, which includes his son, Andrew, the club's commercial manager.

Of Robson's many achievements, converting London to the 13-man rugby man code could prove the most difficult. Despite lying third in the second division of the Stones Bitter Championship after their most successful spell since launching as Fulham in 1980, Crusaders are attracting an average crowd of under 900 to their new home in Balmes.

The cost of the move this season from Crystal Palace has also led to unpaid rents and proposed pay cuts for players. A deal is close to being finalised and the Rugby Football League (RFL) hopes the five-man consortium will inject the necessary capital that the present owners, Richard and Samantha Bartram, found impossible to provide.

A delegation from the leading Australian club, Brisbane Broncos, will this week see the difficulties experienced running a professional side in the capital, although the proposal for a "satellite" London team remains a firm possibility for the 1995-96 season. The RFL does not see the London Broncos plan as lessening its commitment to the Crusaders, although a merger could ultimately provide a stronger foothold in the south.

With finances tight all round, there was little of the drama yesterday traditionally associated with the Challenge Cup transfer deadline. London, surprisingly, were one of the few to do business, signing Logan Campbell from Newcastle Knights, the Sydney-based club.

In a brief flurry of activity, Paul Round, the Wakefield Trinity forward, transferred to Halifax and Wales completed a deal with Leigh for David Ruane, the utility back, in exchange for Mark Sarsfield, a centre. The pool deal, passed with Greg Austin, the second division leading try-scorer, refusing to play again for Keighley after a swap deal with Warrington fell through. Meanwhile, Gary Chambers, Warrington's former Great Britain Under-21 prop, has signed a new two-year contract with the first division leaders.

## Raiders join Giants on long journey

By ROBERT KIRLEY

THE New York Giants and Los Angeles Raiders won their wild-card games in the National Football League play-offs over the weekend and earned the same reward: a transcontinental journey and a game against rested divisional champions on Saturday.

The Giants, in weather more suitable for speed-skating than American football, fought back in the second half to beat the Minnesota Vikings 17-10 on Sunday. Later, in sunny California, the Los Angeles Raiders defeated Denver 42-24 when the Broncos ran out of steam.

Eight teams remain in the chase for Super Bowl XXVIII in Atlanta on January 30; half had byes on the first weekend of the play-offs. The Raiders

first attack had yielded only a field goal. Minnesota held a 10-3 lead and, with the wind-chill factor plunging below 0°F, New York's ability to score a touchdown was in question.

However, Rodney Hampton enlivened the Giants with a 51-yard touchdown run in the third quarter and then,

less than seven minutes later, scored on a two-yard run after a short Vikings punt.

The Raiders and Broncos set play-off records for most receptions (13 by Shannon Sharpe, the Denver tight end), most penalties by one team (17 by the Raiders) and most penalties by two teams (27), Napoleon McCallum, of the

Raiders, equalled a post-season record with three rushing touchdowns.

The quarterbacks, Jeff Hostetler, of Los Angeles, and John Elway, of Denver, both threw three touchdown passes in the first half but, after half-time, Denver surrendered field position with two poor punts. The opportunistic Raiders produced McCallum touchdowns both times. A week earlier, the Raiders had to score on the final play of regulation to avoid elimination from the play-offs.

Although Hostetler completed only six passes in the first half, they were good for more than 200 yards. His touchdown tosses went for nine yards to Ethan Horton, 65 yards to Tim Brown and 54 yards to James Jam.

On Saturday, Kansas City got their first taste of Montana's post-season effectiveness while Brett Favre, of Green Bay, threw three touchdown passes to Sterling

Jim Miller, who disrupted the Evander Holyfield v Riddick Bowe heavyweight boxing title bout in Las Vegas in November when he tried to paragonise into the ring, attempted a similar stunt in the Los Angeles Coliseum on Sunday. He circled the stadium during the Los Angeles Raiders v Denver Broncos play-off game but then landed in a nearby park, where he was arrested for allegedly interfering in a sporting event.

Sharpe as the Chiefs and Packers advanced.

Montana, who won four Super Bowls with San Francisco, led the Chiefs to a 27-24 come-from-behind victory, after overtime, against Pittsburgh. Montana lifted the Chiefs from deficits of 17-7 and 24-17 to force the extra period and set up Nick Lowery's game-winning 32-yard field goal.

At Detroit, Favre hit Sharpe with a 40-yard touchdown strike with 55 seconds remaining to give the Packers a 28-24 win. They were playing their first post-season game since 1982.

## Red flags fly in absence of the Fremantle Doctor

Lawrie Smith reports

on protests that have enlivened the early stages of the third leg of the Whitbread race

rules governing the sail plan and was outlawed because it broke the spirit of those rules. Had the sail been given the green light, then all the leading 60-footers including *Intram Justitia*, would have carried them, for each team had sailmakers on stand-by to work overnight to produce similar sails on the eve of the race. When the decision went against Tokyo, other teams sighed, not because the considerable development involved, would drive up the cost of what was originally conceived as a budget racer.

That we thought was an end to the matter until Tokyo sailed passed us yesterday carrying a sail, twice the size of our own maximum-sized headsail, which looked remarkably like the one that had been banned in Southampton.

Overnight, the winds

dropped to ten knots, allowing not only Tokyo and her radical sail to pull through from third to first, but allowed the maxis to power through as well. That could well be reversed once the stronger winds begin to blow, but, for the moment, we are content to pace ourselves alongside Javier de la Gandara's Fastnet-winning Spanish yacht, *Gullia 93 Pescanova*.

Ross Field's *Yamaha*, which went out on a flyer after the start on Sunday, has also caught back up after experiencing stronger winds offshore. The same tactic is now being demonstrated by *Winston*, which continued almost due south after rounding Cape Leeuwin early yesterday, instead of turning south-east with the leaders.

For the moment, the computer puts her well down the list, but if Conner is first to hitch a ride on the westerly winds of Roaring Forties, his crew could well be riding on a winner. The move, however, does have its risks and could cost them dearly. The next 24 hours should be interesting.

The good news is that the special sail on Tokyo, which her crew can carry as close as 35 degrees to the apparent breeze, will work in wind strengths only up to ten knots. Right now, the winds are building so we will soon be back on level terms. Then we will see whether all the development work we did in Fremantle to improve the shape of our mainsail and spinnakers will pay off.

During our second day at sea, the weather has remained calm with no sign of the Fremantle Doctor — the local wind that calls every day to cool Perth — following us down the coast. What we need now is for the Roaring Forties to fill in instead.



Scottie Graham, of Minnesota, is submerged by a pack of New York Giants

### DETAILS

RESULTS: Wild-card round: Sunday, Kansas City 27 Pittsburgh 24 (OT); Green Bay 28 Detroit 24; Sunday, NY Giants 17 Minnesota 10; LA Raiders 42 Denver 24.

FIXTURES: Conference semi-finals: Sunday, LA Raiders at Buffalo; NY Giants at San Francisco; Sunday, Green Bay at Dallas; Kansas City at Houston; Conference finals: Jan 25, 8 highest remaining seeds; Super Bowl XXVIII, Jan 30, at Georgia Dome, Atlanta.

open the conference semi-finals at Buffalo, where the Bills begin a campaign that could lead to a record fourth successive Super Bowl appearance. They have been beaten finalists the past three years. Also on Saturday, the Giants play away to the San Francisco 49ers.

On Sunday, the Dallas Cowboys, the Super Bowl champions, host the Green Bay Packers while the Houston Oilers, winners of 11 successive games, are at home against Joe Montana and the Kansas City Chiefs.

The Giants were barracked at half-time after their safety-

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1.30pm	Radio 1 Breakfast
2.30pm	Radio 1 Breakfast
3.30pm	Radio 1 Breakfast
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**BBC1**

6.00 Business Breakfast (57255)  
 7.00 BBC Breakfast News (594545)  
 9.05 Kilroy. A studio discussion on a topical subject (s) (440256) 9.45 Newsnight (s) (165512)  
 10.00 News (CeeFax), regional news and weather (595350) 10.05 Playdays (s) (591945)  
 10.30 Good Morning... with Anne and Nick. Weekday magazine (s) (165207)  
 12.15 Pabst. Bill. A studio discussion on a topical subject (s) (440256) 12.55 Regional News and weather (574430)  
 1.00 News (CeeFax) and weather (59701)  
 1.30 Neighbours. (CeeFax) (s) (134275) 1.50 XYZ. Quiz based on the alphabet (s) (134275)  
 2.15 Columbo: By Dawn's Early Light. The dishevelled detective investigates a supposedly perfect murder at a military academy. Starring Peter Falk and Patrick MacDonnell. (CeeFax) (21054)  
 3.50 Teddy Trucks. Animated adventures (223270)  
 3.55 Slick as a Parrot. Children's crossword puzzle game (s) (734579) 4.10 Benetton (s) (714314)  
 4.15 Jackanory. Rick Mayall with part two of Roald Dahl's *George's Marvellous Medicine* (s) (s) (101033) 4.25 SuperTed (s) (914533) 4.35 Hangar 17. Includes a new comedy show, *1444*. This House, starring Helen Lederer. (CeeFax) (s) (451527)  
 5.00 Newsround (418079) 5.10 Grange Hill. Episode three of the comprehensive school drama series. (CeeFax) (s) (159595) 5.15 The Big Bang. (CeeFax) (s) (93794) 5.20 Northern Ireland. In the U.S. (CeeFax) (s) (145159)  
 6.00 Six O'Clock News with Peter Sissons and Jennie Bond. (CeeFax) (121)  
 6.30 Regional News Magazines (701). Northern Ireland. (CeeFax) (s) (145159)  
 7.00 Holiday programme by Jill Dando from Center Parcs in Suffolk. Includes reports on Malta; counselling youngsters at Camp America; and walking in Pembrokeshire. (CeeFax) (s) (121)  
 7.30 EastEnders. (CeeFax) (s) (95)



Andrea campaigns against dog mess (8.00pm)

**CHOICE**

8.00 Private Investigations. (CeeFax) (s) (7169)  
 8.30 Sunny Spells: 40 Years of the Weather. David Stafford goes behind the scenes of the BBC weather forecast. (CeeFax) (9004)  
 9.00 Nine O'Clock News with Michael Buerk. (CeeFax) (s) (159595) 9.15 The Big Bang. (CeeFax) (s) (93794) 9.20 Northern Ireland. In the U.S. (CeeFax) (s) (145159)  
 10.20 Living With the Enemy. The first of a six-part series exploring the relationship between teenagers and their parents with whom they live (525140).  
 10.50 Film: Rebel Without a Cause. (1955) starring James Dean and Natalie Wood. A classic to start a season of films dealing with teenagers. Dean is a new face in the town with something to prove and parents who do not understand him. Directed by Nicholas Ray. (CeeFax) (233565)  
 12.35am Weather (425102). Ends at 12.40  
 2.45-3.45 BBC Saturday Business Club. Scrambled. (56367) 3.15 Legal Network Television. Scrambled. (76980)  
 ● Some of Saturday's BBC1 programmes in Vision were incorrect. We apologise for the error.

**BBC2**

8.00 Breakfast News. (CeeFax) (502240)  
 8.15 The History Man. Bryan MacViney explores the underground site of Can Eyn in Cornwall (s) (118216)  
 8.20 Nettles in Paradise. A portrait of the Paradise Community, a group of mentally handicapped people based in the Cotswolds, who work on the land and live a life based on Christian values (s) (970492)  
 9.05 Daytime on Two. Educational programmes plus, for children, 1.20 Puppypod Tales (719317) 1.25 Just So Stories (449228) 1.35-1.40 Rupert the Bear (584105)  
 2.00 News (CeeFax) and weather (150328) 2.05 You and Me (s) (1374330) 2.15 Milestones in Science and Engineering. The story of George Stephenson and his famous "Rocket" locomotive (593459) 2.30 News (CeeFax) and weather (150328) 2.35 The Future of the Coal Community (s) (956)  
 3.00 News (CeeFax) and weather (732898) 3.05 Westminster Live. Includes Prime Minister's questions. (CeeFax) (593248) 3.50 News (CeeFax) and weather (732898) 4.00 Today's the Day. Recent news quiz hosted by Maryn Lewis (s) (14) 4.30 People of the Valley. Welsh drama series with English subtitles (s) (956) 4.35 Wales: Pride of Place  
 5.00 Catchword. Paul Cook introduces another round of the word game (s) (5527) 5.30 Film 94 with Barry Norman (s) (5527)  
 6.00 FILM: Shipwreck (1978) starring Robert Logan. Stirring adventure yarn, based on fact, about a family of five shipwrecked on an island off Alaska during a round-the-world trip. Directed by Stewart Raffill. (593248)  
 7.45 From Butter to Baiter: The Three R's. The second of two programmes looking at education in Britain during the past 50 years. (CeeFax) (25850)  
 8.30 Food and Drink. Includes the recipe for beef stiletto and a test of the new range of "easy peel" oranges (s) (754)  
 9.00 Quantum Leap. American science fiction drama series starring Scott Bakula. (CeeFax) (619091)



Caroline starves and then binges (9.50pm)

9.50 40 Minutes: Caroline's Story. (CeeFax) (s) (758782)  
 10.30 Newsnight with Kirsty Wark. (CeeFax) (49817)  
 11.15 The Architecture of the Collapse. The collapse of British Architecture. A Late Show special in which Martin Pawley investigates the reasons behind the downfall of the architectural profession (s) (485608)  
 11.55 Weather (207858)  
 12.00 FILM: It Rains On Our Love (1948, b/w) starring Barbro Kolbarg and Birger Malmström. A romantic comedy, the second film directed by Ingmar Bergman (537763). Ends at 1.40am

**Videotext and the Video PlusCode**

The numbers next to each TV programme listing are Video PlusCode numbers, which allow you to programme your video recorder to record a particular programme. To use the Video PlusCode, you need a VCR with a Video PlusCode facility. For more details on how to use the Video PlusCode, see the Video PlusCode guide on page 100 of the TV Times.

**CHOICE**

Network First: Women Who Kill  
 10.40pm  
 "I just got the gun, went into the bedroom and fired it". In that moment Sandra Fleming ended ten years of savage violence from her partner, culminating in his threat to shoot her and their two children. Fleming was allowed to plead guilty to manslaughter and placed on probation. Other battered women who tell their stories were treated more harshly. Emma Humphreys, who stabbed her partner, was given life imprisonment and has served nine years. Sara Thornton, sentenced to life for killing her brutal husband, is a more recent and more familiar case. Fleming, too, is the common of the barrister Helena Kennedy that the law is stacked against women. But few who watch this disquieting film will want to argue with her.

**40 Minutes: Caroline's Story**  
 BBC2, 9.50pm  
 The year 1994 is unlikely to produce a bleaker offering than this tale of a chronic anorexic and bulimic. Caroline is 20 and weighs just 3½ stone. Living alone in a flat in Brighton, she goes through a daily routine of starving herself for 20 hours, bingeing for the other four - then throwing up violently. Like other sufferers she is terrified of putting on weight. But in her case it has nothing to do with wanting to be slim for her own sake. Her illness stems from an early year when she was beaten by her mother and sexually abused by her father. The film is a virtual monologue in which Caroline reflects on her dreadful childhood, demonstrates all too graphically the nature of her obsession and asks God to end her life.

**Private Investigations**  
 BBC1, 8.00pm  
 This lively new series is based on the simple idea of giving ordinary folk a camera and inviting them to make a home movie about their favourite gripe. This is a power at the cutting edge and, since the participants seem to have been chosen for their extreme personalities, catering with it. Andrea is fed up with the dog mess in her garden and so she confronts a local councillor. Young bachelors Steven and Simon investigate transplants and hair pieces. But the star item is about soap powders. Lisa and Michaela want to know what goes into them and how effective they are. That neither of the big manufacturers will speak to the women is revealing as their own tests on a set of seriously grubby T-shirts.

**Sima Ray exposes employer abuse (C4, 8.00pm)**  
 Undercover Britain: The Slave Trap  
 Channel 4, 9.00pm  
 Journalist Sima Ray poses as a domestic servant in the first of a new series which uses secret filming to expose abuse. Ray set up her camera in the luxury West End flat of a domineering Arab woman with three children. None of the luxury rubs off on the servants. Sima is expected to work 16 hours a day, seven days a week, for miserably low pay. She has to sleep on the lounge floor. On top of all this she gets repeated earfuls from her employer. Ray's experience is typical in that many real servants have been treated badly. Beating and sexual abuse are not uncommon. Unlike Ray they cannot walk out. If they do, they become illegal immigrants.

**Sandra Fleming shot her partner (10.40pm)**  
 Network First: Women Who Kill  
 (Teletext) (368343)

**10.40 Network First: Women Who Kill**  
 (Teletext) (368343)  
 11.40 Carlton Sport. Highlights from both the Coca-Cola Cup quarter-finals and the Autoglass Trophy, introduced by Neil Shaw. (Teletext) (476255)  
 12.00am Prisoner: Call Block H. Drama series set in an Australian women's detention centre (s) (4572102)  
 1.10 The Beat. Movie and music magazine (s) (4572102)  
 2.10 Hollywood Ghost Stories. Celebrities recount their experiences and there are clips from famous ghost films (7125058)  
 3.30 America's Top Ten (s) (54763)  
 4.00 The Little Picture Show. Film and video reviews (s) (76338)  
 5.00 Cinema, Cinema, Cinema (s) (88218)  
 5.30 ITN Morning News (44544). Ends at 6.00

**SKY ONE**

6.00am DJ Kai (591094) 8.40 Lingo (591094) 9.00 Prime Time Live (21121) 9.30 Card Sharks (591094) 9.55 Concorde (591094) 10.00 Dingo (591094) 10.30 Dingo (591094) 10.55 Dingo (591094) 11.00 Dingo (591094) 11.30 Dingo (591094) 11.55 Dingo (591094) 12.00 Dingo (591094) 12.30 Dingo (591094) 12.55 Dingo (591094) 1.00 Dingo (591094) 1.30 Dingo (591094) 1.55 Dingo (591094) 2.00 Dingo (591094) 2.30 Dingo (591094) 2.55 Dingo (591094) 3.00 Dingo (591094) 3.30 Dingo (591094) 3.55 Dingo (591094) 4.00 Dingo (591094) 4.30 Dingo (591094) 4.55 Dingo (591094) 5.00 Dingo (591094) 5.30 Dingo (591094) 5.55 Dingo (591094) 6.00 Dingo (591094) 6.30 Dingo (591094) 6.55 Dingo (591094) 7.00 Dingo (591094) 7.30 Dingo (591094) 7.55 Dingo (591094) 8.00 Dingo (591094) 8.30 Dingo (591094) 8.55 Dingo (591094) 9.00 Dingo (591094) 9.30 Dingo (591094) 9.55 Dingo (591094) 10.00 Dingo (591094) 10.30 Dingo (591094) 10.55 Dingo (591094) 11.00 Dingo (591094) 11.30 Dingo (591094) 11.55 Dingo (591094) 12.00 Dingo (591094) 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## SPORT

TUESDAY JANUARY 11 1994

AMERICAN FOOTBALL 38

GIANTS STAY IN  
HUNT FOR BERTH  
IN SUPER BOWL

## Heavyweights involved in fracas at press conference

## Bentt faces enquiry over brawl

By SRIKUMAR SEN  
BOXING CORRESPONDENT

BOXING was brought into disrepute yesterday when bare-knuckle punches were thrown at a press conference to publicise the heavyweight title bout between Michael Bentt, the World Boxing Organisation (WBO) champion, and Herbie Hide, the British heavyweight champion, from Norwich, at Millwall's New Den football ground on March 19. The two boxers grappled with each other in an unscheduled fisticuffs on the terrace of the Sheraton Park Towers Hotel in Knightsbridge.

The British Boxing Board of Control (BBBC) is to hold an enquiry into the incident tomorrow and immediately warned the American promoter, Bob Arum, and his British partner, Barry Hearn, that any repetition of such behaviour could mean the cancellation of the promotion. What was supposed to be the usual good-natured swapping of threats degenerated into a brawl when they began posing for the photographers.

It started when a woman placed a Millwall baseball cap on Bentt's head and Hide knocked it off, saying: "I want a Norwich cap". Whereupon the champion swung round and landed a right on Hide's head, dropping the challenger to his knees. No sooner had Hide got to his feet when the two men were on the floor again, rolling in a puddle, trading punches while their handlers tried to pull them apart.

Hide, with his shirt torn and rubbing a bruised lip, said: "I said, 'I want a Norwich cap' and he punched me in the face. What a nut I've never seen that done before. He hit me with a good shot. He's just a nut. That guy's a loony. He shouldn't be in a boxing ring because boxers are gentlemen. Never fight outside the ring. Goes to show what hooligans we have in boxing. What he's done is embarrassed the British public, because he cannot take criticism."

Dulwich-born Bentt, 28, who took the title from Tommy Morrison last October, said: "You don't get anything for fighting outside the ring, but he compromised my manhood. No man is going to lay his hands on me. I don't regret it. I'm a man first and a boxer second."

However, Hide, 22, was not quite finished. Back in the



The face-to-face meeting between Bentt, right, and Hide, which became a brawl, below, on the terrace of a London hotel yesterday

Tranion Room where the reception was being held, he made an attempt to get at Bentt but was prevented from doing so by Barry Hearn, his manager, and Freddie King, his trainer.

John Morris, the secretary of the BBBC, said: "If they want the fight to take place in Britain, we don't want the sport damaged by this sort of behaviour. If it doesn't cool down and does continue on that basis, I'm not sure that it will even take place. That is bad for boxing. It is a good contest and it didn't need a trailer of actual fisticuffs beforehand."

The last time boxing descended to this level was in 1985 when Mark Kaylor and Errol Christie came to blows outside the Stakis Casino in Bloomsbury, London. Kaylor

was fined £15,000 and Christie £5,000 (both fines were later reduced on appeal) by the BBBC. The board is expected to take a similarly serious view of yesterday's incident.

The fracas will no doubt be the making of the bout. If the promoters were wringing their hands yesterday, they could soon be rubbing them. Despite the promoters' optimism of getting a crowd of around 20,000, boxing experts had been doubtful about the viability of a bout between two little-known heavyweights at a football stadium in March. Now tickets sales are assured.

The two men now go into training. Bentt is in Las Vegas and Hide in Romford. They will not appear together for publicity purposes again until the beginning of March.

Norwich  
near to  
decision  
about  
Deehan

By KEITH PIKE

JOHN Deehan, who was appointed caretaker manager of Norwich City on Friday after Mike Walker left the club to join Everton, is expected to have his position confirmed within the next 24 hours.

Deehan was believed to be involved in talks with Robert Chase, the Norwich chairman, at Carrow Road yesterday and a statement is likely to be issued today, when a meeting of the Premier League board of directors will also consider Norwich's allegation that Everton induced Walker to break his contract.

Deehan, the former Norwich player, who was Walker's assistant, took charge of the side for the first time on Saturday, when they beat Wycombe Wanderers 2-0 in the FA Cup third round. It is understood he wants Gary Megson, the midfield player, to become his assistant.

"There is no way we are going to just sit about doing nothing," Chase said yesterday. "It would be quite wrong to allow any uncertainty to creep in." He repeated that Norwich would not change the prudent approach that has helped establish them as one of the country's most successful clubs but was instrumental in Walker's decision to leave.

Paul McGrath, the Ireland defender, was yesterday believed to have been fined two weeks' wages — an estimated £10,000 — by Aston Villa. McGrath, 34, failed to travel with the team for their FA Cup tie against Exeter City on Saturday. Ron Atkinson, the Villa manager, said after a meeting with McGrath: "It is not our policy to make public what action we take in cases like this. The matter has been resolved internally."

McGrath could be recalled to the side tomorrow, when Villa play Tottenham Hotspur in a Coca-Cola Cup quarter-final at White Hart Lane. "If he is fit and in the right frame of mind, he will be considered," Atkinson said.

Barnet, the second division club that has debts of £1.7 million, won a reprieve yesterday when a winding-up order in the High Court in Liverpool was adjourned for two months. It is the fourth time Barnet has won an adjournment.

Overseas football, page 36

Skippers  
start  
to query  
rival  
fittings

By BARRY PICKTHALL

FRESH storm clouds were brewing over the Whitbread Round the World Yacht Race fleet yesterday as crews began protesting against each other within 24 hours of starting the third stage from Fremantle to Auckland.

Chris Dickson, whose 60-footer, *Tokio*, swept into the lead yesterday, carrying an illegal headsail according to Lawrie Smith, the *Intrum Justitia* skipper. Smith began the protest by pulling out the red flag against *Intrum* and Dennis Comer's American entry, *Winston*.

In a message to race organisers sent two hours after the start, Smith claimed that stainless steel mast fittings on the two rival yachts were manufactured from a higher grade steel than allowed under the rules.

"We got an inkling that this might occur before the start," John Warren, the Whitbread measurer, said yesterday. "I can't make any comment until we are able to review the facts when the fleet get to Auckland."

"I'm not worried," a defiant Smith said yesterday. "Dickson is certainly not pulling any fittings off my mast. It is up to him to prove it." Smith, however, hopes to have the photographic evidence of Dickson's illegal sail which the *Tokio* crew would appear to have slipped passed the eyes of Whitbread's team of scrutineers.

"I've heard nothing untoward from Ken Rose, the chief scrutineer," Warren said yesterday. "Tokio had a headsail banned before the start and I would be surprised if the crew were using it now. It is another issue we will have to look into once the fleet arrives at Auckland."

Yesterday proved a day of dramatic changes, with Grant Dalton, in *New Zealand*, moving up from third to first, among the maxis and *Yamaha*, Ross Field's 60-footer, which was back in ninth place on Sunday night, sweeping up to second, one mile behind *Tokio* after benefiting from stronger winds.

In contrast, Dennis Comer's *Winston*, which had been in third place on Sunday, had slipped to eighth.

Positions, page 38  
Lawrie Smith, page 38

## Protective Ma puts paid to long-distance love

By JOHN GOODBODY



Liu: family feud

THE newest phenomenon in international athletics has tripped on sport's oldest hurdle: sex. Liu Dong, the world 1,500 metres champion, has been dropped from "Ma's Family Army", the Chinese group that has revolutionised middle and long-distance running, because she refused to give up her boyfriend.

Liu walked out of her training camp in Liaoning, where athletes run a marathon a day, when she was ordered by her coach, Ma Junren, to have her hair cut and to stop seeing a young man.

A Canton evening newspaper has reported that Liu's mother pleaded with Ma, who has been a "Svengali"

to Liu, 20, and other young athletes like Wang Junxia, the world 10,000 metres champion and record-holder, but Ma refused to take her back, saying he would lose face.

Ma has always refused to allow his squad of record-breakers to have romances. He said: "They are too young. A 20-year-old is like a rising sun. So they have to be this way to have their career." He has also been adamant that girl athletes have short, boyish haircuts. "Other Chinese athletes have long hair but it is not good for the skin," he said.

Liu won the world junior 1,500 metres title in 1992 and then, in Stuttgart last year, ran an extraordinary 57.48sec for the last lap to win the world senior title. Her stamina is

typical of the group, which has been accused of taking hormone drugs to endure training loads. Yet Ma has insisted the athletes' success derives solely from heavy mileage and a special diet, including drinking turtles' blood.

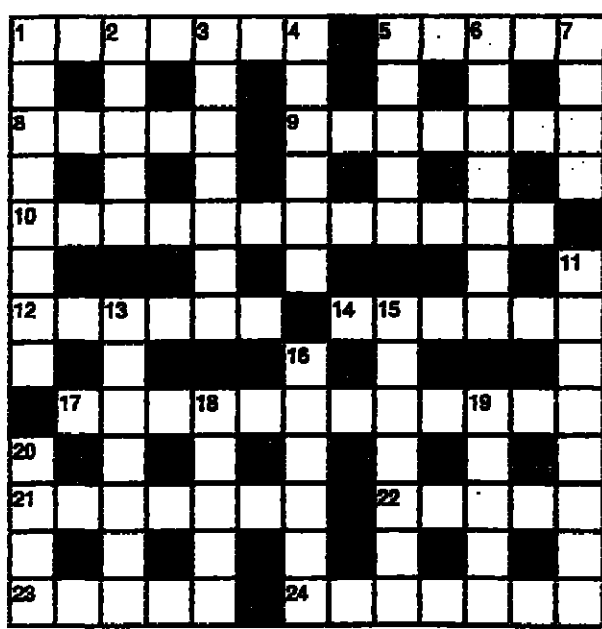
His belief in the virtues of celibacy for athletes is hardly revolutionary, but it renews an old debate. Dr Craig Sharp, one of Britain's leading sports physiologists, has found no evidence that sexual activity "up to and including the night before a competition" was to the detriment of sport.

In 1992, two directors of the Medical Centre for Impotence and Sexuality in Jerusalem recommended abstinence for men as long as "a week before the competition" but

reported that women achieved better performances when they had made love recently.

Bruce Tulloh, the 1962 European 5,000 metres champion, said: "A runner runs best when he or she has a good, steady background. Having a happy sex life and supportive partner helps to make a successful runner. However, I can see that some people will only produce their best when they are feeling angry or frustrated."

In combat sports, there is long-held belief that a fighter must get away from women because they tend to civilise him. As Angelo Dundee, who trained Muhammad Ali, said: "Without women, a fighter gets mean, angry and anxious to fight. With them, he purrs like a pussy cat."



CROSSWORD ENTHUSIASTS: Crosswords on computer (circa 60 puzzles per title — enhanced graphics and help facilities) for all IBM and Acorn PCs. Price £14.95 each. Range includes: The Times Crosswords — Volumes 1, 2, 3, 4, 5, 6 and 14, 15 & 16 (84s); The Times Jubilee Puzzles, The Times Crosswords — 3 & 4, The Sunday Times Crosswords — Volumes 1, 2, 3, 4, 5, 6 and 14, 15 & 16 (84s); The Sunday Times Conquer Crosswords — 14, 15 & 16 (84s); Cheques to Akson Ltd, 51 Manor Lane, London SE13 5QW. Return delivery. Tel 081-852 4575 (24 hrs). No credit cards. New computer crossword releases: The Times Crosswords 17, The Times Crosswords 5, The Sunday Times Crosswords 12, The Sunday Times Computer Crosswords — Vols 5 & 6 £14.95 each (inc p&g UK).

TIMES TWO  
CROSSWORD

No 59

## ACROSS

- 1 Armour covering chest (7)
- 5 Seat of Petain's wartime government (5)
- 8 Concerning prophecy (5)
- 9 Officer personally serving Royalty (7)
- 10 An evangelical (3,9)
- 12 Swallow up (6)
- 14 Spanish day of celebration (6)
- 17 Politician travelling to find seat/office (6-6)
- 21 Pure-sounding wind instrument (7)
- 22 Covered in creeper (5)
- 23 Be of use (5)
- 24 Member of US upper house (7)

## DOWN

- 1 Headless (8)
- 2 Accompanying: in the charge (6) (2,3)
- 3 Intoxicant (7)
- 4 Spanish/American mountain range (6)
- 5 Guarantee: give support (5)
- 6 Body of a slaughtered animal (7)
- 7 Up-and-down toy (2-2)
- 11 Dog: province of Canada (8)
- 13 Site of Alhambra palace (7)
- 15 European vermouth (7)
- 16 Wandering pets (6)
- 18 Small glass bottle (5)
- 19 Remorse for wrongdoing (5)
- 20 Exploding star (4)

## SOLUTION TO NO 58

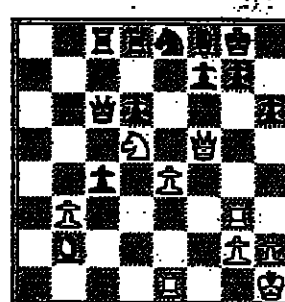
ACROSS: 7 Trio 8 Anecdote 9 Palm tree 10 Sago  
11 Abused 13 Hang on 15 Ferret 17 Napkin 19 Harm  
21 Honduras 23 Softball 24 Coca  
DOWN: 1 Preamble 2 Cosmos 3 Fair 4 Teletext 5 Odds  
on 6 Stag 12 Dutchman 14 Oligarch 16 Remote  
18 Pounce 20 Atop 22 Null

## By Raymond Keene

Today's position is from the game Barua - Topalov, Biel 1993. White's pieces have arrived at superb attacking outposts. How does he now make the most of them?

Solution, page 37

Raymond Keene, page 8



## By Philip Howard

## DIRIBITORY

- a. Abusive
- b. Soldiers' pay desk
- c. Surgical tongs

## EMUNCTORY

- a. An extreme conservative
- b. A canonical service
- c. To do with nose-blowing

## HEBETATE

- a. Pubescent
- b. Crippled
- c. To become dull

## IRRIDENTIST

- a. An orthodontist
- b. Smiling sarcastically
- c. Recovering native territory

Answers on page 37

The Gentleman's Sale

FURTHER  
REDUCTIONS

Examples: Original Price Now

Business Suits £325 £225

Pure Wool Blazers 395 195

Wool Sports Jackets 295 125

Selected Knitwear 125 55

Business Shirts 59 35

Selected Silk Ties 45 10

GIEVES & HAWKES  
No. 1 Savile Row, London

London: No. 1 Savile Row W1  
18 Lime Street EC3, Selfridges Oxford Street W1